

Supreme Court of India

Union Of India (Uoi) vs Jai Narain Singh on 9 February, 1994

Equivalent citations: (1996) IILLJ 750 SC, 1995 Supp (4) SCC 672

Author: S Mohan

Bench: S Mohan, M Mukherjee

ORDER Mr. S. Mohan, J.

1. Delay condoned. Special leave granted.

2. We have heard both the learned Counsel, for the Union of India (the appellant) and the respondent. We have not the slightest hesitation in holding that the Central Ground Water Board is not an industry. The contrary finding rendered by the Tribunal in the impugned order is incorrect. It follows Section 25-F of the Industrial Disputes Act, 1947 will have no application. Accordingly, the appeal deserves to be allowed and is hereby allowed. However, we may add that having regard to the length of service of the respondent, this is a fit case in which the appellant must take sympathetic attitude and appoint him as a fresh candidate as a Helper and his service is to reckon only from the date of his appointment. We are informed by the learned Counsel for the respondent that the said post has been redesignated as Technical Operator (Drilling). The appointment order should be issued on or before March 31, 1994. We make it clear that he shall have no claim for back wages in relation to the earlier service rendered by him.