

Supreme Court of India

Vimal Kumar Jain vs Labour Court, Kanpur And Another on 20 January, 1987

Equivalent citations: AIR 1988 SC 384, (1998) III LLJ 537 SC, 1987 Supp (1) SCC 40

Author: O C Reddy

Bench: O C Reddy, V Khalid

ORDER O. Chinnappa Reddy, J.

1. We have heard Mr. Garg at length and we are not satisfied that the case calls for our interference. The question raised in this case is whether the petitioner is a workman. The Labour Court has found that he is not a workman. The evidence is that he supervises the work of the maintenance department in the capacity of Maintenance Engineer and that he does the work through fitters and turners etc. who are his subordinates. It is also pointed out that he grants leave, initiates disciplinary proceedings etc. He has also power to make temporary appointments. We are of the view that the Labour Court is right in holding that the petitioner is not a workman. The stay stands vacated. The Special Leave Petition is dismissed.