

Service matter -

Industrial Disputes Act, 1947, S.17B - Reappointment and reinstatement - Reinstatement means to return a person or thing to its previous position or status - An order of reinstatement puts a person back to the same position - Respondent was granted the relief of reinstatement - Tribunal and the High Court have in effect and substance found the termination of service of the Respondent to be wrongful - Tribunal held that the Respondent had not actually rendered service to the Appellant-Bank and that he had been earning in the intervening period, denied him back wages - Appellant-Bank cannot take advantage of its own wrong of wrongfully dismissing the Respondent from service, to deny him the benefit of seniority, promotion and other benefits to which he would have been entitled, if he had attended to his duties - Division Bench of the High Court rightly directed that the Respondent would have to be treated in service from the date of removal till the date of actual reinstatement in service and would accordingly be entitled to seniority and the right to be considered for promotion, but would not be entitled to back wages.

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