

Labour Law

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1. Introduction

The character of labour law in India was originally considered as an essential branch of welfare legislation that was developed to protect the vulnerable sections of the working class from the structural bias of industrial capitalism. Statutes were enacted with the clear objective of securing minimum conditions of social and economic security to workmen. Some of these were: Industrial Disputes Act, 1947; the Maternity Benefit Act, 1961; and the Payment of Gratuity Act, 1972; which were meant to protect workers who were otherwise placed at a structural disadvantage in the industrial relationship. The workers are also protected under the constitutional concept of effective social and economic justice as reflected in Articles 14, 19, 21 and 23 of the Constitution. However, there is a widening gap between “law on the books” and “law in action”. It shows a gap between legislative promises and practical enforcement. Despite the existence of normative framework, many hurdles (such as procedural delay, administrative resistance and restrictive interpretations) have often rendered these rights illusory in practice. In India, the real challenge is particularly frustrating. It's not that workers lack entitlements; it's that those rights are buried under a mountain of procedural hurdles.

It is within this context that the 2024 jurisprudence of the Allahabad High Court stand out here as it showed how constitutional commitments to labour welfare can be realised through consistent judicial intervention. Being one of the country's largest and oldest High Courts, its decisions have impact over not only lacs of individual workers but also the government departments and corporations responsible for running social security schemes across the most populated state. The Court dealt with a wide range of labour issues from job classification to pension calculation. In each case it consciously tried to look beyond the technical provisions of the labour laws. This paper argues that the Allahabad High Court has addressed these issues in three ways. *Firstly*, by giving access to entitlements to more people through liberal interpretation. *Secondly*, by being gender responsive and interpreting welfare schemes through the lens of dependency rather than marital status. *Thirdly*, the Court worked towards improving institutional efficacy and procedural fairness in the adjudicating mechanism. Throughout the cases we can see that the Allahabad HC has used the Constitution to inform its judgments rather than seeing a labour dispute as a one-sided battle. The following chapters will examine this judicial trajectory across three themes: a) entitlement expansion, b) gender responsive implementation, c) procedural enforcement. They will show how the 2024 judgments provide a judicial way to transform labour law from text to justice.

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2. Expansion of Entitlements: Adopting Liberal Interpretation of Welfare Statutes

The effectiveness of India's labour law mechanism is affected by a gap between the “law on the books” and the “law in action”. Statutory entitlements often get stuck in administrative hurdles. These were originally designed to be '*redistributive tools*'. They were made to ensure constitutional promises of social and economic justice that are rooted in Articles 14, 21, and 42. With its 2024 decisions, the Allahabad High Court might fill the enforcement gap with the supremacist judiciary and undertake a systemic approach to the actual '*constitutionalisation*' of labour law. Therefore, it is argued that the Court converted those welfare measures, previously restrictive and discretionary benefits, into enforceable rights that are non-negotiable and generally inclusive. What changed the picture? The Court adopted a liberal approach in the case of welfare statutes so as to change their application in the substantive aspect. The judiciary took two critical considerations while delivering judgements: *Firstly*, the Court broadly interpreted the scope of protective statutes that would ensure the widest possible application. *Secondly*, it introduced welfare entitlements with constitutional considerations. The next four sections analyse this transition, with the High Court having, a) expanded the protective reach of industrial law; b) redefined retirement benefits; c) enforced payment liability, and d) affirmed the supremacy of beneficial legislation.

2.1 Expanding the Scope of Industrial Protection

The core issue of industrial cases hinges on the fact that how we define “industry” under the Industrial Disputes Act, 1947 (IDA) and its state versions (like the Uttar Pradesh Industrial Disputes Act, 1947 (UPID Act)). Why? Because classifying an activity as an 'industry' is the starting point to get protective labour benefits. Those entitlements can range from conciliation/adjudication to statutory retrenchment benefits. The ruling in *Prabhagiya Nideshak Van v. State of U.P.* became a significant statement that the sovereign function doctrine can no longer shield the state from labour law.¹ The case asked a simple question: Did the State government's social forestry operations count as an “industry” under the UPID Act? The State as an employer pushed the familiar argument of sovereign function. It stated that establishing and maintaining forests done by a government department for public welfare would be counted as one. Activities considered '*sovereign*' are typically exempt from the IDA's purview, thus denying employees the status of 'workman' and the corresponding statutory safeguards. The Allahabad High Court unequivocally dismissed this contention.

¹ *Prabhagiya Nideshak Van v. Van.Evam Sangik Vanki Karmachari* 2024 LiveLaw (AB) 37.



Drawing strictly from the Supreme Court's landmark *Bangalore Water Supply and Sewerage Board v. A. Rajappa* case,² the Court restated that the test for 'industry' is functional and systematic that involves mutual cooperation between employer and employee for the production and distribution of goods and services. The Court held that social forestry was essentially an administrative and developmental activity, as different from core sovereign functions like policing, legislation, etc. and developmental activities can't claim sovereign immunity on the fact that the government sponsors them even if conducted by the State.

The significance of this ruling is twofold: *Firstly*, it weakens sovereign immunity. By classifying social forestry as a systematic 'industry,' the Court reaffirmed that the State must operate as an employer bound by labour protections. They cannot do it in the garb of activities similar to those done by commercial or developmental entities. This effectively closes a major loophole State agencies often use to label non-core functions as 'sovereign' to bypass obligations. *Secondly*, it promotes universal labour protections. The Court guaranteed Social Forestry workers the same benefits under the UPID Act; the same rights, and access to dispute resolution mechanisms as workers in conventional industrial undertakings. This judicial stance prevents job classification from becoming a technical barrier that erodes those benefits especially in growing environmental sectors. It clearly signifies the Court's dedication to a liberal and inclusive reading of the 'industry'. It not only ensures the labour welfare but also the constitutional promises.

2.2 Recognizing Pension and Increments as Deferred Wages

The Court's commitment to enforcing entitlements can easily be seen when it comes to retirement benefits. Retirement benefits are frequently subject to varied technical interpretations that significantly disadvantage the retiring employees. The concept that 'pension is a deferred wage' is key essential to ensure dignity in retirement. It should not be a gratuitous payment or a mere reward for past service. The decision in *Yashpal Singh v. State of U.P.* showed application of this idea to resolve dispute concerning annual increments that often end up getting arbitrarily resolved.³ The case centred on employees who were set to retire on July 1st. The annual increment was earned by completing one year of service but it technically became payable precisely on July 1st. The State, in this way, often argued that the employee cannot claim increment because the retirement occurred on July 1st. This meant their post-retirement pension and other benefits were calculated based on the lower pay scale of the preceding year. This seemingly minor timing technicality caused a lifelong reduction in the employee's pension benefits. Then, Allahabad High Court mandated that the notional

² *Bangalore Water-Supply & Sewerage Board, Etc. v. R. Rajappa & Ors* [1978] AIR 548.

³ *Yashpal Singh v. State of U.P.* 2024:AHC:145987.

annual increment must be taken into account for calculating the post-retirement pension. The Court anchored its reasoning in the Supreme Court's foundational ruling in *D.S. Nakara v. Union of India*,⁴ which definitively established that pension isn't a bounty but an earned right, a deferred wage, which an employee accepts in place of a higher immediate salary during their years of service. The Court emphasized that a narrow interpretation that denies this earned benefit is arbitrary and unreasonable. The judicial interpretation in *Yashpal Singh* is distinctly liberal because it acknowledges the inherent earned nature of the increment; the work was already completed. It simply doesn't matter that the formal mechanism for drawing the increment coincides with the moment of superannuation. The Court effectively expanded the temporal boundary of employment to prevent an arbitrary financial loss right at the very end of an employee's career. By granting the employee the notional increment, the Court affirmed that the service period culminating on June 30th was complete and that the right to the higher emolument was fully accrued and vested, ensuring the continuity of entitlement beyond the official date of superannuation.

The consequence of this ruling is significant: it stops the government from using a self-serving strict interpretation of administrative calendars to undercut statutorily guaranteed retirement benefits as an employer. The decision ensures that the definition of deferred wage is applied holistically. It secures the employee's financial future by fixing the pension at the incrementally right level. This judicial intervention smoothly upholds the employee's earned right over administrative convenience, demonstrating a clear preference for substantive justice in interpreting financial benefits.

2.3 Enforcing Entitlements Through Interest Liability

Whereas the previous sections focused on the concept and value of entitlements, delayed payment judgments in *Dr. Himanshu Shekhar Tripathi v. State of U.P.*⁵ and *Dr. Vinod Chandra Jain v. State of U.P.*⁶ pertain to the absolutely basic essential of enforcement. The Court laid down a basic principle: delay in payment of retirement dues including gratuity cannot be a procedural error but an “economic violence” when done to an aged employee. Hence mandatory punitive interest is required. The first case *Dr. Himanshu Shekhar Tripathi* exposed an administrative trick: initiating disciplinary proceedings after retirement just to build a flimsy excuse to deny gratuity. The State misused the guise of disciplinary proceedings to arbitrarily deprive the employee of a statutory benefit. The High Court put an end to it by saying “retirement brings service to an end”. Disciplinary actions cannot be

⁴ *D.S. Nakara and Ors. v. Union of India* (1983) 1 SCC 305.

⁵ *Dr. Himanshu Shekhar Tripathi v. State of U.P.* 2011: AHC-LKO:14587-DB.

⁶ *Dr. Vinod Chandra Jain v. State of U.P.* (2024) 9 ILRA 543.



initiated for denying due gratuity benefits once an employee leaves the job; once the retirement is done, it means that the service is ended hence no locus. The Court ordered immediate payment of gratuity with 12% interest as penalty. The second case *Dr. Vinod Chandra Jain* also showed another common administrative problem: unjustified delay in payment of retirement dues even after the legal deadline without any pending disciplinary issues. The Court ordered late payment to include 6% interest. This sets a clear rule: if the government fails to pay an employee's benefits by the deadline, interest is mandatory. Interest for that matter cannot be something that is left upto the discretion of departments.

These judgments fundamentally change the retirement dues. It's not a gift that the government can delay or withhold on its whims. Forcing the State to pay interest on late dues serves three purposes: 1) it punishes the government for treating the worker's money as a free loan; 2) it compensates the employee for the loss of value of money due to inflation; and 3) it gives the employee's statutory right real power by attaching a mandatory financial cost to the delay. This ensures the system delivers justice on time rather than frustrating it.

2.4 Affirming Beneficial Legislation Override

One more stage where Court's strategy showed affirming the 'unqualified supremacy of beneficial laws over restrictive executive rules.' This doctrine was robustly clearly upheld with respect to maternity rights by two decisions of *Sufiya Khatoon v. State of U.P.*⁷ and *Vinita v. State of U.P.*⁸. These cases fought against administrative restrictions placed on women seeking maternity relief in light of constitutional shield of the right to motherhood and physical integrity.

The main issue in *Sufiya Khatoon* was a face-to-face conflict between the Maternity Benefit Act, 1961, an important social welfare legislation, and a restrictive rule in the State's Financial Handbook, which mandated a mandatory gap of two years between successive maternity leaves. The petitioner sought to be granted a second maternity leave during the restricted period, and the denial had been granted under that subordinate executive rule.

The High Court struck down the administrative restriction decisively: "The Maternity Benefit Act is a beneficial legislation with overriding force. Executive service rules cannot curtail a statutory right conferred on a woman employee." This is perhaps the most explicit judicial expression of the beneficial override doctrine. The Court accepted that the right to maternity leave is not merely a work condition but is vital to the dignity and physical integrity of a woman worker, rooted in the Directive Principles in Article 42, and

⁷ *Sufiya Khatoon v. State of U.P. Thru. Prin. Secy. Basic Education Lko.* [Writ - A No. - 7479 of 2024].

⁸ *Vinita v. State of U.P.* [Writ - A No. - 14222 of 2024].

further protected under Article 15(3). In *Vinita v. State of U.P.*, the Court, offering a parallel unqualified reaffirmation of the above-mentioned principle, rejected temporal barriers that any rule would have sought to impose on a fundamental decision that a woman makes regarding motherhood. Such administrative rules would, therefore, be considered repugnant to the constitutional vision of protection and dignity.

These cases set up a non-negotiable hierarchy of laws under which conflicts between the departmental circulars, service rules, or administrative handbooks, on the one hand, and the Maternity Benefit Act, 1961 on the other, are entirely to be resolved in favour of the beneficial statutory provision. This approach of the court would do away with bureaucracies in two ways: a) by establishing the legislative supremacy over the general or restricting executive rules; and, b) by treating the right as somewhat of an offspring of fundamental rights to life and dignity under Article 21 so as to render it immune from any attempt by an administrative authority to constrict it. As such, the Court by virtue of the “override” took care to ensure that protection during maternity operates as an absolute. This statutory right of working women would not be a matter of privileges subject to departmental varied interpretations.

The jurisprudence analysed in the chapter marks a decisive tilt in favour of welfare entitlements. From restrictive eligibility to inclusive entitlement. Across the four main doctrinal themes: the scope of industrial protection, the value of retirement benefits, the enforceability of dues, and priority of beneficial legislation, the common thread is that the court rejects conditionality and administrative discretion. Under Part 2.1, the *Prabhagiiya Nideshak Van* ruling expanded the scope of protection by touching areas on behalf of which the government once protected itself under the shield of the 'sovereign function' argument and now has protected the industrial rights of developmental workers. Part 2.2, through the *Yashpal Singh judgment*, improved the value of the pension entitlement by applying the doctrine of deferred wages to get over technical calendars and to protect the retirement income from erosion. Part 2.3, by *Dr. Himanshu case* and *Dr. Vinod Chandra Jain v. Union of India*, strengthened enforceability—thereby making the payment of delayed gratuity to be an amount payable with interest and post-retirement deductions to be economic violence. Lastly, 2.4 reasserted the priority of constitutional rights by protecting the Maternity Benefit Act from the restrictive service rules. The High Court recognised the vision of social security as the key element when talking about the industrial workers. It could be seen through the 'constitutional' method adopted by the court showing the liberal construction. This proactive approach to the entitlements lays the foundation for the next phase in the Court's judicial activism, which is the equally vital struggle for procedural integrity or the constitution: enforcement of the dispute resolution process itself.



3. Gendered Constitutionalism: Embedding Social Justice Through Equality in Dependency

Allahabad HC firmly established Constitutional Feminism in the year 2024. The last part of this research was on statutory discipline and procedural fairness; this part is on substantive social justice and how existing welfare schemes do not take into account the fluid and gendered realities of Indian families today. Constitutional Feminism here means the judicial philosophy which seeks to dismantle systemic gender-based barriers in administrative laws. It can be done by asserting gender equity in fundamental rights under Articles 14 (Equality), 15 (Non-Discrimination), 21 (Dignity) and 42 (Maternity Relief).

The deeper approach of this Court refused to retain two historical restrictions on welfare schemes: *firstly*, those which treated marital status as a proxy for dependency especially in compassionate appointment schemes; and *secondly*, those which treated maternity protection as a conditional concession on grounds of administrative convenience rather than constitutional entitlement. In a landmark manner the Court delivered a “gender responsive labour jurisprudence” by considering welfare schemes on the basis of dependency and vulnerability rather than marital status (the conventional patriarchal standard). These decisions make it clear the Court wasn't just operating on sympathy or hiding behind rigid formalities. The Court definitely ensured that government institutions must now act as a 'corrective force'. It actively upheld a woman's constitutional right to her economic independence and reproductive freedom thereby directly challenging unfair red tape and arbitrary bureaucratic hurdles.

3.1 Equality in Dependency: No Bar in Marriage/Widowhood

Compassionate appointment rule exists as an exception to the constitutional promise of equal opportunity in public employment. The very purpose of such an exception is that it gives immediate financial relief in cases where destitution becomes contingent on a death of the major breadwinner; that too without being used as means to confer a hereditary right to employment. Earlier, these schemes were clearly marked by gender bias. The court targeted the completely outdated presumption that the responsibility for financially supporting married daughter rests entirely with the husband's family once a woman gets married. The 2024 verdict has done away this old with status-based rigidity and replaced it with a realistic standard of financial need.

3.1.1 *Punita Bhatt and the Rejection of Marital Status as a Disqualification*

In *Punita Bhatt v. BSNL*,⁹ the administrative authorities rejected the application filed by a widowed daughter solely on the basis of her marital status. The State took an arbitrary

position that her had permanently severed her financial ties to her deceased father's family, regardless of her subsequent life circumstances or current economic vulnerability. The High Court here definitively overturned this exclusion and held clear judicial principle that “Marriage or widowhood is not a disqualification.” The very essence of the judgment was that economic realities of the applicant would be preferred before institutional presumption. By making actual financial dependency on the deceased the central test, the Court injected the principles of non-arbitrariness (equality) and non-discrimination (gender equity) into the scheme of rules for compassionate appointment. The Court abandoned the outdated assumption in these rules that marriage of the daughter was the end of her dependency on her natal family and turned toward the present social reality; the 'realisation' that daughters, after marriage or especially after widowhood, do continue to remain or become dependent on their natal family in case of economic distress or non-recognition of their right to inheritance. Quite humanly, the Court has transformed what was previously a purely mechanistic administrative scheme into an instrument of social justice thereby declaring that exclusion based on a woman's life status-marriage or widowhood-is abhorrent to the constitutional vision of gender equality.

3.1.2 *Akhtari Khatoon and the Objective Standard of Financial Distress*

Crucially, the Court's progressive stance on gender and dependency was carefully balanced with a clear mandate against the misuse of the scheme. In the case *Akhtari Khatoon v. State of U.P.*,¹⁰ it was held that widowed or divorced daughters cannot be excluded but a claim cannot be granted without proof of actual financial dependency and want. The counter judgment is denying the claim of a divorced daughter whose evidence of dependency or destitution has not been proved. This is important for the doctrine. It prevents the constitutional exception from being misused to get away from gender bias. It prevents the constitutional exception from being exploited in the movement away from gender bias. Compassionate appointment is a refuge for 'vulnerability' that must be proven with evidence of financial distress. The amalgamation of *Punita Bhatt* and *Akhtari Khatoon* made way for a fresh, modern doctrine: a) Marital Status is Irrelevant (Marriage or widowhood cannot be a basis for exclusion) and b) Dependency is Mandatory (Proven financial distress and dependence are the only valid basis for inclusion). The sole meaning of this legal position is that the exception will accomplish its narrow purpose—relieving a pressing financial crisis of a family—while finally discarding a particularly antiquated and patriarchal standard through which claims made by female applicants were earlier judged. The Court condemned administrative authorities to look beyond the mere surface of the relationship status of a woman and consider her concrete economic reality.

⁹ *Punita Bhatt Alias Punita Dhawan v. Bharat Sanchar Nigam Ltd.* 2024:AHC-LKO:77237-DB.

¹⁰ *Akhtari Khatoon v. State of U.P.* [Writ - ANo. - 13833 of 2023].



3.2 Maternity as a Constitutional Right

The second pillar of this Court's constitutional feminist approach involved a radical elevation of the status of maternity protection. In the past, Maternity Benefits Act, 1961 awards were typically regarded as returns of administrative benevolence or a “leave policy” concession, ever ready for being clipped by departmental rules. The Allahabad High Court finally put an end to this notion by treating reproductive protection as a right that cannot be bargained because it flows directly from the fundamental right of dignity along with the directive principles of policy (provision for just and humane conditions of work and maternity relief).

3.2.1 *Sufiya Khatoon & Vinita: Striking Down the Two-Year Gap Rule*

The conflict between statutory right and administrative regulation was shown visibly in the two parallel decisions in *Sufiya Khatoon v. State of U.P.* and *Vinita v. State of U.P.*. These cases directly attacked the arbitrary enforcement of executive rules, the State's two-year mandatory gap rule between successive maternity leaves as prescribed in the Financial Handbook. When the petitioner was refused a second maternity leave within the restricted time in *Sufiya Khatoon*, the Court did not merely sympathise with her interpretation of the law; instead, it exercised its constitutional powers to reject such a denial. As the court declared: “The Maternity Benefit Act is a beneficial legislation with overriding force. Executive service rules cannot curtail a statutory right conferred upon a woman employee.” This conclusive pronouncement brought to light the primacy of a beneficial social welfare statute over any executive circular or departmental rule conflicting therewith. In furtherance, the ruling in *Vinita v. State of U.P.* acted as a parallel reaffirmation that any rule that places temporal impediments on motherhood is fundamentally repugnant to the constitutional vision of dignity and protection.

3.2.2 *Anchoring Protection in Article 21 and Article 42*

The very significance of these rulings extends far beyond mere administrative convenience of a leave period. Rather, it shows how the Court placed emphasis on the essence of reproductive justice: motherhood. These rulings recognise that motherhood is an intimate, fundamental choice linked to a woman's dignity and bodily autonomy. By striking down the two-year waiting period, the Court ensured a woman isn't therefore forced to choose between her health and her economic security. Maternity protection is now seen as a constitutional right, not just an optional workplace perk. It therefore also prevents the government from imposing arbitrary time limits on the biological reality of childbirth and childcare.

3.3 The 'Constitutionalisation' of Welfare Rights

The courts' approach to compassionate appointment and maternity relief shows a common judicial technique: 'constitutionalising welfare rights'. So in gendered labour jurisprudence, welfare schemes were interpreted on the basis of dependency not marital status. In *Punita Bhatt*, the Court held that a widowed daughter cannot be excluded from compassionate appointment just because of her marital status. In *Akhtari Khatoon*, the Court held that benefits cannot be claimed without establishing actual financial dependence. Furthering the maternity benefit judgments the Court took a constitutional feminist approach by recognising reproductive protection as a right flowing from dignity and equality guarantees not as a 'conditional administrative concession'. In all these cases the Court refused to sentimentalise sympathy or reduce justice to an empty formality; it instead localised gender equity within the objective standard of vulnerability.

Thus, there is a clear philosophical touch in the High Court's perception of social security mandates (as also seen in the chain of argument where gratuity and pension were treated as deferred wages with mandatory interest). This shift in the Court's thinking fills a huge moral hole in how administrative rules treat women workers. The judges did this by redefining vulnerability in two key ways. For compassionate appointments, the law has moved entirely from a woman's marital status to her verifiable economic vulnerability. The law now rightly focuses on whether she is really financially dependent or destitute, recognising that economic insecurity can persist or return even for women with existing or past marital ties. Simultaneously, for maternity relief, the Court has acknowledged the biological reality of motherhood and the State's fundamental constitutional duty over administrative discretion, effectively banning bureaucratic power from imposing arbitrary time limits on a woman's decision about her children.

By linking both compassionate appointments and maternity benefits to the constitutional principles of equality and dignity, the Allahabad High Court has elevated these provisions from policy guidelines to enforceable fundamental rights. This deliberate constitutional feminist approach turns the procedural realm of welfare law into a powerful tool for achieving substantive gender equality so as to make social justice visible in the discourse.

4. Institutional Efficacy & Procedural Justice: Making Labour Law Work in Reality

Social and economic justice is only as good as its implementation. It's easy to have a right in a law ("the law on the books") but the real battle is to have a procedural system that ensures that right is achieved quickly and fairly ("the law in action"). Historically speaking,



Indian labour courts have had one major institutional flaw: endless procedural delays and jurisdictional hurdles that employers use to delay justice indefinitely. Allahabad High Court's 2024 jurisprudence tackled this head on by acting as the protector of procedural integrity. The Court systematically rejected the tactics of delay and evasion by weaving in the constitutional demands of speed and fairness into the very fabric of labour adjudication. This chapter will look at the Court's work on procedure and accountability and show how it wants to turn the legal system from a system that wears people out into a machine that produces justice.

4.1 Clearing Jurisdictional Roadblocks: The Gatekeeper of Discipline

Jurisdictional obstacles are the most frequent and most effective strategy to delay justice. By imposing preliminary battles about the proper government or the boundaries of the power of the Labour Court, employers can avoid the real merits of a case indefinitely. The Allahabad High Court enacted stringent checks to prevent this type of maddening litigation, ensuring procedural procedures are clear and final.

4.1.1 Finality of Reference Power

In the *Jagran Prakashan* case,¹¹ the High Court adopted the old gambit of attempting to perpetually re-litigate the issue of the “appropriate government” (Is it the Central government or the State?). The employer, having already acquiesced in the State's jurisdiction in previous proceedings, attempted to change its stance, challenging the validity of the existing reference. The Court put an end to this, definitively enunciating the principle that jurisdictional orders needed to be final. The judges realised that if the question of “appropriate government” can be appealed *ad infinitum*, it completely negates the inherent objective of labour law: speedy resolution of disputes. It is not just a technical impediment; it arises from the constitutional promise of speedy justice. If employers are in a position to keep raising queries on where the case should be tried, the employee's recourse becomes an illusory scenario. The Court ruling keeps technicalities of jurisdiction from being employed to sink a worker's chance of having access to real justice.

4.1.2 Section 33-C(2) Restraint: Maintaining Adjudicatory Discipline

The Court was equally strict with the Labour Court itself. In *Executive Engineer v. Mahesh Chandra*,¹² the Allahabad High Court clearly defined the limits of Section 33-C(2) which is all about calculating benefits already due. The question was whether Labour Court can award a new right like interest on delayed payments using this section. The High Court

¹¹ *Jagran Prakashan Ltd. v. Krishna Mohan Trivedi* (2024) 5 ILRA 2450.

¹² *Executive Engineer Electricity Transmission Division v. Mahesh Chandra And other* 2024 LiveLaw (AB) 257.

said no. This is absolutely crucial for maintaining adjudicatory discipline. This section is an execution provision; it's a tool to calculate existing rights established by law or prior order. It cannot and should not create a new right. By not allowing Labour Courts to hear new claims in execution, the High Court maintained the distinction between merely computing a debt and deciding a dispute. The Court acted as a jurisdictional gatekeeper to protect the structural integrity of the system from procedural shortcuts.

4.2 Mandating Speedy Justice: The Constitutional Imperative Against Delay

The Allahabad HC said delay in labour cases is not a mere inconvenience but a huge injustice to the worker. A worker who largely depends on his earnings can't wait for years for justice; delay takes away his right to livelihood. The Court's direction was clear and categorical against the practice of splitting the proceedings.

The *Amity International School* judgment is the strongest condemnation of procedural delay.¹³ The Labour Court was following the normal practice of bifurcation of the dispute: resolving a preliminary issue (like jurisdiction) before ever addressing the real merits of the dismissal. The High Court disapproved of this practice and called it a delaying tactic. The Court directed the Labour Courts to decide all matters at once both the questions of jurisdiction and the facts of the case and pass one single order. This is more than a rule of court management, it's a constitutional policy direction. The Court's reasoning was that this artificial procedural bifurcation completely nullifies the purpose of labour law which is for speedy disposal. Protracted litigation is literally an instrument of oppression used by the deep pockets party. Amity International is the final nail in the coffin of procedural delay as a litigation strategy.

4.3 Demanding Reasoned Decision-making & Preventing Arbitrary Dismissals

Justice should never be sacrificed for speed. Additionally, the High Court reaffirmed the importance of substantive procedural fairness. This action focused on maintaining the non-negotiable element of natural justice in every termination hearing and demanding reasoned awards.

4.3.1 Non-reasoned Awards is Denial of Justice

Findings must be supported by careful consideration and sound reasoning in order for the process to be fair. This was particularly highlighted in the case of *M/S Omrao Industrial Corporation*,¹⁴ where the High Court invalidated a Labour Court award without providing any justification because it had taken the worker's affidavit at face value in an ex parte proceeding without using any of his judicial judgment. The High Court ruled that the

¹³ *Amity International School v. Presiding Officer, Labour Court* 2024:AHC:8960.

¹⁴ *M/S Omrao Industrial Corporation Pvt. Ltd. v. State of U.P. and Others* [WRIT - C No. - 28075 of 2025].



Labour Court has an essential, non-derogable judicial duty to weigh the evidence and provide justifications, even in situations where the employer does not show up or reply. Without valid justification, an award isn't really an award. Three strong institutional norms were established by the Omrao ruling: Judicial Accountability (Labour Courts must use their judgment and not merely serve as clerical rubber stamps), Prevention of Arbitrariness (reason prevents irrational judgments), and Rejection of Automatic Victory (a no-show does not win automatically; the claim must be established).

4.3.2 *No Dismissal Without Hearing*

Fairness in disciplinary action was elevated when the High Court promptly reversed dismissals that did not meet the absolute, unbreakable standard of natural justice. The sanctity of the *audi alteram partem* (listen to the other side) principle serves as the cornerstone of this idea. A number of employees were fired in *Harvendra Kumar v. State of U.P.* without being given an opportunity to respond to the charges.¹⁵ The High Court immediately revoked the dismissal, establishing the rule that a dismissal without notice or hearing is null and void from the start. The right to be heard is not just a formality; it is a basic legal requirement.

This principle was applied even where the procedural defect was gradual but substantial. In *Ram Raksha Misra v. Regional Manager, LIC*,¹⁶ the employer had conducted an inquiry but the notice was either served wrongly or irregularly and failed to inform the workman properly. The Court held that even a technical error of communication which disables the workman to participate meaningfully in the defence nullifies the whole inquiry.

4.4 **Curtailing Abuse of Litigation Machinery: Institutional Accountability**

The last support of institutional effectiveness addresses the cause of systemic delay: manipulation of the legal process by large, publicly funded organizations. The Allahabad High Court took a rare and notable step, calling for institutional responsibility on the part of the State itself and requiring the government to perform as a good litigant.

The High Court targeted the curbing of excessive and frivolous litigation by public corporations. In one representative case (of a minor claim for overtime payment of under ₹50,000), the concerned public corporation indulged in a long chain of appeals. This behaviour demonstrated a systemic desire to harass employees through the exercise of procedural rights, using judicial time completely out of proportion to the insubstantial nature of the claim.¹⁷ The Court issued a strong warning against the abuse of procedural rights and

¹⁵ *Harvendra Kumar v. State of U.P. and Others* [Writ - A No. - 1491 of 2019].

¹⁶ *Ram Raksha Misra v. Regional Manager, LIC* 2024:AHC:120379.

¹⁷ *U.P. Road Transport Corpn. v. Presiding Officer, Labour Court* 2024:AHC-LKO:18189.

strongly condemned such behaviour. More significantly, the Court mandated that all publicly traded companies have suitable litigation policies. The State's traditional role as a litigious adversary in the courts is essentially replaced by this requirement, which demands that it be restrained. Companies are required by this policy to litigate responsibly, which includes exercising prudent restraint before bringing a lawsuit as well as pursuing internal disputes that are best resolved there. The need for a litigation policy is a much-needed change that recognises that the greatest obstacle to justice is usually the State's inertia itself.

These decisions are a balance of values, between procedure and expedition. Allahabad High Court did not approve of slowness (*Amity International*) while at the same time rejected speediness that compromises fairness (*Omrao Industrial*). The Court has constitutionalized the entire industrial adjudicatory process. The *Jagran Prakashan and Mahesh Chandra* cases have laid down the limits of jurisdictional challenge and brought in certainty and discipline in the system. The *Amity International* rule guarantees procedural expediency based on the right to livelihood. The *Harvendra/Ram Raksha* and *Omrao Industrial* rulings enforce procedural depth, ensuring that all institutional action is rational and not capricious. Lastly, the litigation policy mandate also creates systemic accountability by requiring the State to alter its own behaviour and become a model litigant. In addition to being legally compliant with the incorporation of these new regulations, the Allahabad High Court guarantees that industrial adjudication respects the constitutional principles of fairness, transparency, and promptness. This new procedural architecture is essential to bridging the fundamental divide between theoretical and actual rights because it will allow labour law to function in the worker's everyday life.

5. Conclusion

These 2024 judgments of the Allahabad High Court are not mere judgments; they are a profound shift in the judicial thinking. The Court is engaged in an ongoing project to transform labour law from a set of dry collection of prescriptive rules into enforceable social rights. The primary goal has been to actualise the lofty promises of the Constitution in the forms of justiciable entitlements. Fulfilling these guarantees are essential for the most vulnerable members of the labour force who rely on job security and are yet to receive such benefits. The judicial commitment, thus, provides the mechanism to actualise those of the Constitution into beneficial economic security for those who depend on income.

First, the court has consistently supported a simple and common-sense interpretation that prioritises the worker in relation to welfare laws. For instance, to reject the narrow doctrine of 'sovereign functions' (*Prabhagiiya Nideshak Van* case), the judges rejected the defence by government departments to avoid a statutory responsibility for



providing protection simply because of administrative nomenclature. In a scenario akin to recognising pensions and gratuities as 'deferred wages', wages already earned by the worker-withone stroke in Yashpal Singh, Dr. Himanshu Shekhar Tripathi, and Dr. Vinod Chandra Jain cases, the Court put an end to the very idea that social security is a favour extended at the discretion of the State; rather, it is a part of the worker's earned income. The same logic was extended to granting maternity benefits in Sufiya Khatoon and Vinita, practically guaranteeing that a major piece of worker-friendly legislation (Maternity Benefit Act) would always trump small, restrictive departmental manuals. In other words, welfare is now regarded as a constitutional guarantee.

Second, the Court, within the domain of labour law, actively constitutionalised gender justice. It systematically demolished stereotypical, patriarchal notions that had been embedded in administrative rules. This is seen most evidently in compassionate appointments (*Punita Bhatt, Akhtari Khatoon*), where the Court gave primacy to economic dependence over the woman's marital status (whether married or widowed). The Court acknowledged that an economically precarious situation continues or arises regardless of the marital relationship. It also raised maternity protection from a mere workplace policy and found it to be rooted in the fundamental rights of women to dignity and bodily autonomy. These seemingly strong interpretations redeveloped welfare rights as a provision of real structural equality, which changed the old language of sympathetic treatment of women by law to an absolute right.

Third, the Court looked at the processes of justice delivery and how they can be modified. It clarified jurisdictional issues by resolving the delay tactic of employers who would remove cases by continuously questioning the venue (*Jagran Prakashan*) and by defining the jurisdiction and powers (*Executive Engineer*) of a Labour Court. The *Amity International School* case was a landmark decision that brought in a constitutional promise of speedy justice in the labour jurisdiction by removing the delay tactic of endless preliminary skirmishes and multiple trials. In *M/S Omrao Industrial Corporation*, the court said "expeditious means in makes it reasonable" which means to act fast but not all speed without substance. Overall, the Court changed the nature of just calling upon public corporations to have a Litigation Policy to be not an abuser of the system but a model litigant. These changes mark the beginning of a voluntary shift from just replying to individual grievances to substantive procedural changes.

This jurisprudence's success in reaffirming the constitutional foundation of labour laws is what gives it its fundamental significance. These rulings clearly demonstrate that the right to a livelihood encompasses much more than simply the freedom to look for employment; it also includes the right to decent working conditions, prompt compensation,

and strong social security. The Court's unyielding position has restored confidence in the judiciary as the last arbiter of the social compact between the State and its employees. The judges have finally closed the huge gap between the theoretical “law on the books” and the actual “law in action”, bringing constitutional morality into the workplace through their liberal interpretation of statutes and rigorous adherence to procedure. However, the commitments made in these decisions now need to be formalized. The government must formally codify these new judicial standards (such as mandatory interest on delayed payments and maternity leave rules) into a single set of service rules in order to make the rules official. This judicial momentum necessitates tangible action. Additionally, the social security system needs to be expanded to include workers in the gig and informal economies, extending the idea that welfare is a component of citizenship. Social welfare will eventually become a systemic and long-lasting practice if this momentum is maintained.