

(2015) 11 SC CK 0032

In the Supreme Court Of India

Case No : Civil Appeal No. 13787 of 2015 (Arising out of SLP (C) No. 34842/2012)

Delhi Transport Corporation

APPELLANT

Vs

Ramesh Chand

RESPONDENT

Date of Decision : 27-11-2015

Acts Referred:

Citation : (2015) 13 SCALE 486

Hon'ble Judges : Anil R. Dave and A.K. Goel, JJ.

Bench : Division Bench

Advocate : Monika Gusain, Advocate, for the Appellant; Samir Ali Khan, Advocate, for the Respondent

Final Decision : Allowed

Judgement

Anil R. Dave, J—Leave granted.

2. In the peculiar facts and circumstances of the case we are of the view that the Respondent should not have been granted backwages.

3. It is also pertinent to note that the Respondent did not lead any evidence to show that he did not work when he was not in service of the Appellant during the pendency of the matter. Therefore, in our opinion, it would be just and appropriate not to award any backwages to the Respondent.

4. For the aforesaid reason, the impugned judgment and order is modified to the effect that no backwages shall be awarded to the Respondent.

5. Appeal stands disposed of as allowed.