
(2016) 01 SC CK 0099

In the Supreme Court Of India

Case No : Civil Appeal No. 5 of 2016 (Arising out of SLP (C) No. 34192 of 2014)

State of Uttarakhand and Others

APPELLANT

Vs

Suman Pal

RESPONDENT

Date of Decision : 04-01-2016

Acts Referred:

Citation : (2016) 2 JT 520 : (2016) 1 Scale 284 : (2016) 11 SCC 305 : (2016) 2 SCCL 697 : (2016) 3 SLR 225

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

Bench : Division Bench

Advocate : Rahul Verma, Advocate for Anuvrat Sharma, Advocate, for the Appellant; Gaurav Srivastava and Sudhansu Palo, Advocate, for the Respondent

Final Decision : Partly Allowed

Judgement

Anil R. Dave, J.—1. Leave granted.

2. Heard the learned Counsel and perused the record.

3. Upon perusal of the record, we find that reinstatement with 50% backwages would not be just. Therefore, we modify the impugned judgment to the effect that a lump-sum amount of Rs. 2 lakhs (Rupees two lakhs only) be paid to the Respondent, a daily wage, as he was not regularly appointed and he was relieved before several years.

4. The afore-stated amount of Rs. 2 lakhs shall be paid within three months from today and the Respondent shall not have any further right.

5. The impugned order is set aside and the appeal is disposed of as partly allowed. Pending application, if any, stands disposed of.

6. Leave granted.

7. The appeal is disposed of as partly allowed in terms of signed Non-reportable judgment.

8. Pending application, if any, stands disposed of.