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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ LPA 626/2022 & CM APPL. 47085/2022 -Stay

BANK OF INDIA

..... Appellant

Through: Rajesh Kumar Gautam, Advocate.

versus

SURESH CHAND

..... Respondent

Through: Mr. Maroof Ahmad and Mr.. A.
Khan, Advocates.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

07.02.2024

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1. The present appeal under Clause X of the Letters Patent seeks to assail the order dated 12.09.2022 passed by the learned Single Judge in W.P.(C) No. 8858/2007. Vide the impugned order, the learned Single Judge has rejected the appellant's challenge to the Award dated 07.08.2007 whereunder the appellant was directed to reinstate the respondent with 50% back wages and continuity of service and all other consequential benefits imposing a penalty of stoppage of increments for 7 years.
2. Taking into account that the respondent has already reached the age of superannuation and will, therefore, now be entitled to only receive 50% backwages as per the impugned order, even as per the original penalty imposed on him he would be entitled to receive all



superannuation benefits, which has been set aside by the learned Labour Court, it has been put to learned counsel for the parties as to whether the matter can be amicably resolved.

3. Both sides pray for time to obtain instructions to work out the amount which would be payable to the respondent as against the amount being paid to him.

4. At request, list on 4th April 2024.

REKHA PALLI, J

RAJNISH BHATNAGAR, J

FEBRUARY 7, 2024

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