

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.246-247 OF 2015
(Arising out of S.L.P.(C) Nos.6584-6585 of 2014)

s) Rajegowda Appellant(

Versus
(s) Divisional Controller, KSRTC & Others Respondent

O R D E R

Leave granted.

for the Mr. Shekhar G. Devasa, learned counsel
appellant submitted that he does not intend to press for any
compensation, though the appellant has suffered fractures.
Such a submission has been advanced as an impression was
created before the Court that at his i
instance two
Commissioner proceedings were initiated, one before the
under the Workmen's Compensation Act, 1923 and other before
the Tribunal under the Motor Vehicles Act, 1988.

prayer for Learned counsel would confine his
Court in deletion of the direction given by the High
paragraph 5, which reads thus:

Signature Not Verified

"While doing so, liberty is given to the
appellants herein to initiate appropriate

Digitally signed by
Chetan Kumar
Date: 2015.01.16
15:36:23 IST
Reason:

proceedings against respondent herein for the
fraudulent act he has committed against his
employer for unlawful enrichment and liberty is
also given to them to launch prosecution under

fraudulent act committed by him so that this could be an eye opener for the other greedy employees.

Learned counsel for the respondent-Corporation fairly concedes that it does not intend to prosecute the appellant if he abandons the claim.

Regard being had to the facts and circumstances of the case, we are inclined to hold that the appellant, possibly in anxiety, had approached both the forums and as he is not intending to assert his claim, we think it appropriate that there should not be any criminal proceeding against him and, accordingly, the above quoted direction by the High Court is set aside.

The appeals are allowed to the extent indicated above. There shall be no cost as to orders.

.....J.
(Dipak Misra)

.....J.
(Prafulla C. Pant)

New Delhi;
January 09, 2015.

CA 246-47/15

ITEM NO.30

COURT NO.6

SECTION XV

S U P R E M E C O U R T O F
R E C O R D O F P R O C E E D I N G S

I N D I A

Petition(s) for Special Leave to Appeal (C)

Nos.6584-6585/2014

(Arising out of impugned final judgment and order dated 19/03/2013 in MFA No. 3527/2010,07/11/2013 in RP No. 751/2013,07/11/2013 in MFA No. 3527/2010 passed by the High Court of Karnataka at Bangalore)

RAJEGOWDA

Petitioner(s)

VERSUS

DIV. CONTROLLER, KSRTC & ORS

Respondent(s)

(With interim relief and office report)

Date: 09/01/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Mr. Shekhar G. Devasa, Adv.
 Mrs. Sudha Gupta, AOR

For Respondent(s) Mr. Kashi Vishweshwar, Adv.
 Ms. Manju Jetley, AOR

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeals are allowed in terms of the signed
order.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Court Master

(Signed order is placed on the file)