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SLP(C)No. 4279 OF 2004

ITEM No.10

Court No. 6

SECTION XV

A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.4279/2004

(From the judgment and order dated 24/07/2003 in CMWP 4985/98
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

U.P.R.S.K.E.G.V.BANK LTD. LUCKNOW & ANR.

Petitioner (s)

VERSUS

SUDHA GUPTA

Respondent (s)

(With prayer for interim relief)

Date : 06/08/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s)

Mr. Sunil Kumar Jain,Adv.

For Respondent (s)

Mr. Jitendra Mohan Sharma,Adv.

UPON hearing counsel the Court made the following

O R D E R

On 20.2.2004, a limited notice was issued confined to the question of consideration as to the payment of backwages.

The services of the respondent were terminated on 1.1.1989. An industrial dispute was raised and an Award was passed on 8.1.1997 directing the petitioner to reinstate the respondent in service with full backwages.

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.2.

It is submitted before us that the respondent was reinstated in service on 24.4.2000 and since then she is paid wages regularly. Having regard to the facts and circumstances of the case, we think it is just and appropriate to direct the petitioner to pay 50% of the backwages for the period between 1.1.1989 to 8.1.1997, i.e., the date of passing the Award. We make it clear that the respondent will be entitled to full backwages for the period between 8.1.1997 to the date of reinstatement.

The special leave petition is disposed accordingly.

Sarita

(Shelly Sengupta)

Court Master