

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

RECORD OF PROCEEDINGS

CIVIL APPEAL NOS.187-188 OF 2004

KARNATAKA EDU. & CULTURAL SOCIETY

Appellant (s)

VERSUS

K.C. MATHEW

Respondent(s)

(With office report)

Date: 24/01/2007 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Appellant(s) Mr. N.L. Ganapathi,Adv.

For Respondent(s) Ms. Kanchan Kaur Dhodi,Adv.

UPON hearing counsel the Court made the following

O R D E R

The civil appeals are disposed of.

No costs.

[T.I. Rajput]

[Om Prakash]

A.R.-cum-P.S.

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.187-188 OF 2004

Karnataka Educational and Cultural Society

...Appellant

(s)

Versus

K.C. Mathew

...Respondent

(s)

O R D E R

Heard learned counsel for the parties.

The sole respondent was dismissed by the Management.

When the said order was challenged before the Education

Appellate Tribunal, it set aside the punishment of dismissal and

substituted the same by withholding two increments with

cumulative effect. It further directed that the respondent shall

be reinstated with full back wages. When the matter was taken

to the High Court, the order of Tribunal has been set aside and

the order directing full back wages has been modified to seventy five per cent back wages. Hence this appeal by special leave.

Having heard learned counsel appearing on behalf of the parties and taking into consideration over-all view of the matter,

we uphold the order of the High Court with the modification that

the respondent shall be entitled to forty per cent back wages only instead of seventy five per cent back wages. With this modification alone, the civil appeals are disposed of.

No costs.

.....J.

[B.N. AGRAWAL]

.....J.

[P.P. NAOLEKAR]

New Delhi,

January 24, 2007.