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SLP(C)No. 5943 OF 2003

ITEM No.59

Court No.10

SECTION XV
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Civil) No.5943/2003

(From the judgement and order dated 19/12/2002 in WP 1476/1998
of The HIGH COURT OF KERALA AT ERNAKULAM)

STATE BANK OF TRAVANCORE & ANR.

Petitioner (s)

VERSUS

K. RADHAKRISHNAN

Respondent (s)

(With prayer for interim relief)

Date : 04/08/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s)Mr. Harish N. Salve,Sr.Adv.
Mr. A.V. Rangam,Adv.
Mr. Buddy A. Ranganadhan,Adv.
Mr. A. Ranganadhan,Adv.

For Respondent (s)Mr. B.V. Deepak,Adv.
Mr. Dilip Pillai,Adv.
for M/s. T.T.K. Deepak & Co.,Advs.

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

Heard learned counsel for the parties for a while.

Leave granted.

The civil appeal is disposed of.

No costs.

[T.I. Rajput][Shelly Sengupta]
Court Master Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5495 OF 2003
(Arising out of S.L.P. (C) No. 5943 of 2003)

State Bank of Travancore & Anr. ...Appellant(s)

Versus

K. Radhakrishnan ...Respondent(s)

O R D E R

Leave granted.

Having heard learned counsel for the parties and looking to the facts and circumstances of the case, we do not think it appropriate to interfere with the impugned order, except to the extent of modifying the order in regard to back wages. We find it just and appropriate to confine the payment of back wages only to the extent of fifty percent. We are, now, told that the respondent has already been re-instated in service.

The civil appeal is, accordingly, disposed of in the above terms.

We, however, make it clear that we have not considered the question of law raised in this appeal in regard to service of notice and it is left open to be decided in an appropriate case.

No costs.

.....J.
[SHIVARAJ V. PATIL]

.....J.
[D.M. DHARMADHIKARI]

New Delhi,
August 04, 2003.