

~  
ITEM NO.15

COURT NO.11

SECTION XI

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

I.A. No. 1 & 2 & 3 in CIVIL APPEAL NO(s). 7012 OF 2009

N.O.I.D.A.

Appellant (s)

VERSUS

K.D. SHARMA & ORS.

Respondent(s)

(For restoration, c/delay in filing application for restoration and c/delay  
in filing statement of case)

Date: 10/02/2014

These Applications were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA  
[IN CHAMBERS]

For Appellant(s)

Mr. Ravindra Kumar, Adv.

For Respondent(s)

Mr. Prakash Kumar Singh, Adv.

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

Delay in filing the statement of case is condoned.  
Civil Appeal No. 7012 of 2009 stands restored to its original  
position in terms of the signed order.

[Nidhi Ahuja]  
Court Master

[P.S.N. Murthy]  
Court Master

[Signed order is placed on th file.]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A. No. 1 & 2 & 3 in CIVIL APPEAL NO(s). 7012 OF 2009

N.O.I.D.A. ...Appellant (s)

VERSUS

K.D. SHARMA & ORS. ...Respondent(s)

O R D E R

Heard learned counsel for the appellant and respondents. It is stated by the learned counsel for the appellant that the award of the labour court which is affirmed by the High Court of Judicature at Allahabad in CMWP No. 32256/1990 is given effect to by reinstating him which is admitted by the respondent workman in his counter statement. Interim order passed by the High Court in the writ petition proceeding has been given effect to.

In view of the reinstatement of the workman, though there is an inordinate delay of 277 days in approaching this court by filing interlocutory application no. 1/2013 for restoration, delay is condoned and the restoration is granted subject to the condition that the appellant-employer shall pay cost of RS. 25,000/- to the respondent-workman within three weeks from today.

Accordingly, Civil Appeal No. 7012 of 2009 stands restored to its original position.

As prayed for by the learned counsel for the appellant, two weeks' time is granted to produce the order of reinstatement.

....., J.  
[V. GOPALA GOWDA]

New Delhi,  
February 10, 2014.