

>

SLP(C)No. 6063 OF 2003  
ITEM No.38

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.6063/2003  
(From the judgement and order dated 09/01/2003 in WAMP 5487/02  
of The HIGH COURT OF MADRAS)

MAHARASHTRA STATE COOP.C.GR.MKT.FED.LTD.

Petitioner (s)

VERSUS

P. RANGARAJAN  
(With prayer for interim relief)  
(With office report)

Respondent (s)

Date : 11/08/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE BRIJESH KUMAR  
HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s)Mr. Janath Muth Raj, Adv.  
Mr. Nishe R. Shonker, Adv.  
Mr. Sudarshan K.C., Adv.  
Mr. T.N. Rao, Adv.

For Respondent (s) In-person

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

Leave granted.

Heard learned counsel for the petitioner and the respondent who is appearing in person.  
The Appeal stands disposed of in terms of the signed order.

INDU(KANWAL SINGH)  
COURT MASTER

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO...../2003  
(ARISING OUT OF SLP(C) NO. 6063/2003)

MAHARASHTRA STATE COOP. C. GR. MKT. FED. LTD. ...APPELLANT(S)

VERSUS

P. RANGARAJAN ...RESPONDENT(S)

ORDER

Leave granted.

Heard learned counsel for the petitioner and the respondent who is appearing in person.

The petitioner preferred a writ petition against an order passed by the Labour Court. Learned single Judge passed an interim order staying the execution of the award on the condition of the appellant depositing a sum of Rs. 52,696/- and compliance of the Provisions of Section 17B of the Industrial Disputes Act. Dissatisfying with this order, the appellant filed an appeal.

The Appellate Court passed an order for depositing a sum of Rs. 10,000/- by the appellant to the respondent and to reinstate him in service w.e.f. 1.2.2003. It is submitted that it is substituting the order of interim relief in place of one awarded by the learned Single Judge. By use of appellate order, it is submitted that the appellant has been put in a worse position. Since in the order passed by the learned Single Judge, there was no direction or condition of reinstatement. We also find that there was no justification to modify the order to the effect as it has been done for reinstatement. We, therefore, set aside the order dated 9.1.2003 passed by the Division Bench providing for reinstatement of the respondent in service. It is, however, made clear that the appellant shall comply with the order passed by the learned Single Judge on 1.3.2002.

The appeal stands finally disposed of.

.....J

(BRIJESH KUMAR)

.....J  
(ARUN KUMAR)

New delhi,  
Dated 11th August, 2003.