

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.9362 OF 2014

SARVODYA INTER COLLEGE MEHINPURWA & ANR.

Appellant(s)

VERSUS

RAM DAULAT

Respondent(s)

O R D E R

1. The services of the respondent who was a Class-IV employee in the Sarvodya Inter College, Mehinpurwa, District Bahraich, were terminated on 3<sup>rd</sup> December 1979. The period of service was six years.

2. The respondent instituted a suit seeking a declaration of the invalidity of the order of termination. The Trial Court dismissed the suit.

3. The first appellate Court allowed the appeal and decreed the suit as prayed.

4. The High Court confirmed the order of the first Appellate Court, insofar as the declaration of invalidity and entitlement of present and future salary was concerned, but denied specific performance of the contract of service.

5. The respondent had worked for a period of six years from 1<sup>st</sup> December 1973 to 3<sup>rd</sup> December 1979. Nearly 39 years have elapsed since the date of termination of service of the respondent.

6. Learned counsel for the respondent states that having regard to the present avocation of the respondent, it is doubtful whether any relief of reinstatement can at all be pressed.

7. Learned counsel for the appellants has also fairly left it to the Court to fix a lump-sum compensation in lieu of back-wages and all entitlements. Learned counsel for the respondent also joins in this submission. The quantum has been left to this Court.

8. We accordingly dispose-of the civil appeal by directing that the appellants shall, within eight weeks from today, pay a sum of Rs.2.5 lakhs to the respondent in full and final settlement of all claims and demands. If the appellants fail to do so by issuing a demand draft drawn in favour of the respondent within the stipulated period of eight weeks, the amount shall carry interest @ 9% per annum till the date of payment.

9. In view of the above facts and circumstances, the Court has not been required to express any opinion on any question of law.

10. The Civil Appeal is disposed-of in the aforesaid terms, with no order as to costs.

.....J  
(Dr. Dhananjaya Y. Chandrachud)

.....J  
(Vineet Saran)

New Delhi;  
December 12, 2018

ITEM NO.107

COURT NO.11

SECTION III-A

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

Civil Appeal No.9362/2014

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Date : 12-12-2018 This appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE VINEET SARAN

For Appellant(s)      Mr. Abhishek Chaudhary, AOR  
                                 Mr. Sarna Nand Dubey, Adv.  
                                 Ms. Anubha Srivastava, Adv.

For Respondent(s)    Mr. Prakash Kumar Singh, AOR

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

The Civil Appeal is disposed of, in terms of the Signed Order.

Pending application(s), if any, shall stand disposed of.

(MUKESH KUMAR)  
COURT MASTER

(SUMAN JAIN)  
BRANCH OFFICER

(Signed Order is placed on the File)