

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

Petition(s) for Special Leave to Appeal (Civil) No(s).16100/2009

(From the judgement and order dated 12/03/2009 in CWP No.2439/2003 of The HIGH COURT OF DELHI AT N. DELHI)

INDIAN AIRLINES LTD.(NOW NACIL)

Petitioner(s)

VERSUS

SUSHMA & ORS.

Respondent(s)

(With appln(s) for stay and office report)

Date: 12/12/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE CYRIAC JOSEPH
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s)

Mr. R.S.Suri, Sr.,Adv.
Mr. Chanchal Kumar Ganguli,Adv.
Mr. Zaki Ahmed Khan, Adv.
Ms. Pallavi Tayal, Adv.

For Respondent(s)

Mr. S.P. Chadha, Adv.
Mr. Debasis Misra,Adv.

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

Having heard learned senior counsel for the petitioner and the learned counsel for the respondents, we do not find any valid or sufficient reason to interfere with the impugned order of the High Court.

We agree with the finding of the High Court that the petitioner was liable to pay subsistence allowance to the deceased Vasudev Prasad during the period he was

-2-

deemed to have been under suspension i.e. from 27.6.2000

to 28.2.2001. In view of the pendency of this Special

Leave Petition and the interim order passed on

12.5.2010, the said Vasudev Prasad or his legal heirs

have not been paid the subsistence allowance till today.

Considering the above aspect, we are inclined to direct that the petitioner shall pay, in addition to the

amount of subsistence allowance, simple interest at the rate of 12% per annum on the said amount, for the period from 12th April, 2009 till the date of payment.

The amount of subsistence allowance along with interest shall be paid as expeditiously as possible and at any rate, within a period of four weeks from today.

With the above direction to pay the amount of subsistence allowance along with interest, the Special Leave Petition is dismissed.

(Sukhbir Paul Kaur)
Court Master

(Renuka Sadana)
Court Master