

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).12890/2005

(From the judgement and order dated 15/02/2005 in LPA No. 88/2005 of The  
HIGH COURT OF PATNA)

BALDEO SINGH CHHABRA Petitioner(s)

VERSUS

STATE OF BIHAR AND ORS. Respondent(s)

Date: 23/04/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA  
HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s) Mr. Ranjan Mukherjee, Adv.

For Respondent(s) Mr. Akhilesh Kumar Pandey, Adv.  
Mr. Sudhanshu Saran, Adv.  
Mrs. Shalini Chandra, Adv.

UPON hearing counsel the Court made the following  
ORDER

Leave granted.

The appeal is disposed of in terms of the signed  
order.

(PAWAN KUMAR) (ANAND SINGH)  
COURT MASTER COURT MASTER

(signed order is placed on the file)  
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2983 OF 2008  
(arising out of SLP(C)No.12890 of 2005)

BALDEO SINGH CHHABRA ... APPELLANT

VERSUS

STATE OF BIHAR AND ORS. ...  
RESPONDENTS

ORDER

Leave granted.

In this case the SLP qua respondent Nos.1 to 4 has been  
dismissed. Notice was issued limited to respondent Nos.5,6 and 7.

Respondent No.6, the Ex. General Secretary and presently Junior

Vice President of Prabandhak Committee, Takht Sri Harmandir Ji Patna Sahib has filed counter-affidavit by post. He has also stated in the counter-affidavit that the School was not in a position to engage a counsel.

The dispute involved in this appeal is with regard to the payment of monthly allowance of Rs.1,000/- from the period 17.08.1995 till November, 2000, the period for which the appellant rendered service to the School, but has not received any emoluments.  
:2:

Article 23 of the Constitution forbids begari. Hence if the appellant has worked he should be given emoluments.

In paragraph 5 of the counter-affidavit filed on behalf of respondent No.6 it is stated by him that he has no objection if the appellant is paid the claimed amount on due verification of the record of the School. In view of the stand taken by respondent No.6, we direct respondent Nos.5 and 6 to pay to the appellant a monthly allowance of Rs.1,000/- per month from 17.08.1995 to 30.11.2000 for the period that he has worked. The payment shall, however, be made after verification of the School record that the appellant has rendered service through the aforesaid period.

Subject to the aforesaid observation, the appeal is disposed of.

.....J.  
( H.K. SEMA )

.....J.  
( MARKANDEY KATJU )

NEW DELHI,  
APRIL 23, 2008.