

h

REVISÉD
ITEM NO.7 COURT NO.13 SECTION XV

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(s).16801/2012

(From the judgement and order dated 01/08/2011 in WC No.5939/2001 of The
HIGH COURT OF JUDICATURE AT ALLAHABAD)

U.P.STAE ROAD TRANSPORT CORP. Petitioner(s)

VERSUS

SUBHASH CHANDRA GUPTA & ANR Respondent(s)
(With appln(s) for c/delay in filing SLP,bringing on record the LRs.
of deceased respondent,c/delay in filing appl. for bringing LRs on record)

Date: 18/11/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIL R. DAVE
HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s) Mr. Pradeep Misra,Adv.
Mr. Daleep Dhayani,Adv.
Mr. Suraj Singh,Adv.

For Respondent(s) Ms. Tania Singh,Adv.
Ms. Gauri Gupta,Adv.
Mr. Rameshwar Prasad Goyal,Adv.

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

Substitution application is allowed.
Leave granted.
The appeal is allowed with no order as to costs in terms of the
signed order.

| (Sarita Purohit) | | (Sneh Bala Mehra) |
| Court Master | | Court Master |

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.10436 OF 2013
(Arising out of SLP(C)No.16801/2012)

U.P. STATE ROAD TRANSPORT CORP. ...APPELLANT

VS.

SUBHASH CHANDRA GUPTA & ANR. ...RESPONDENTS

O R D E R

Leave granted.

Heard the learned counsel.

Upon perusal of the impugned order and more particularly, the order of the Labour Court, we are of the view that the backwages to the tune of 75% should not have been awarded to the deceased workman. In our opinion, it would be just and appropriate if 25% of the backwages are paid. In the circumstances the appeal is allowed and the award as well as the impugned order are modified.

The amount of 25% of the backwages shall be paid to the representatives of the deceased employee within two weeks.

There shall be no order as to costs.

.....J.
[ANIL R. DAVE]

.....J.
[DIPAK MISRA]

New Delhi;
November 18, 2013.