

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

RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 417/2000

Pepsu Rpad Transport Corpn, Punjab .. Appellant (s)

Vs.

Harbhajan Singh .. Respondent(s)

DATE : 9/11.2000 : This/These matter (s) was/were
called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU
HON'BLE MR. JUSTICE S.N. VARIAVA

For Appellant (s) : Mr. M.K. Garg, Adv.

For Respondent (s) : Mr. A.S. Chahil, Adv.
Ms. S Janani, Adv.

UPON hearing counsel the Court made the following

O R D E R

.....L.....I.....J
.SP2

The appeal is dismissed in terms of the signed order.

.SP1

Charanjit

[Meena Trikha]
Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 417/2000@@
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Pepsu RPAD Transport Corpn., Punjab .. Appellant

Vs.

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.....L.....I.....J
.SP2

At the time issue of notice, the Court confined the examination to the question of the appropriate back wages to be awarded. That was on the basis of the statement made by the respondent to the effect that he had not taken any fare from the concerned passengers as they were students of tender age. But he gave them punched tickets only for the reason that Inspector would report against him. He had not given them unpunched tickets as they were passengers aged from 8 to 11 years. It is not improbable that he might not have collected any fare from them. In these circumstances, Labour Court was certainly justified in deducting the back wages to the extent of 30 per cent and in not awarding the full back wages. Therefore, the High Court was justified in not interfering with the award made by the Labour Court nor do we think there is any reason to interfere. The appeal is dismissed.

.SP1

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[S. RAJENDRA BABU]@@
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[S.N. VARIAVA] @@
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New Delhi, @@
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November 9, 2000 @@
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