

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(s). 5529 OF 2005

DIVISIONAL FOREST OFFICER & ANR.

Appellant (s)

VERSUS

LEKHRAJ

Respondent(s)

(With office report)

Date: 13/07/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Appellant(s)

Mr.T.V.George,Adv.

For Respondent(s)

Mr. Ashok Mathur,Adv.(NP)

UPON hearing counsel the Court made the following

O R D E R

The High Court of Punjab & Haryana allowed the Writ Petition of the respondent herein.

According to the appellant, the High Court without appreciating the proper facts of the case held that

the Forest Department was an "industry" and hence the workman is entitled for reinstatement with

continuity of service with 50% back wages .

In this matter, leave was granted by this Court on 05.09.2005 and stay was also granted in

the meanwhile. It is now brought to our notice that this Court in State of U.P. vs. Jai Bir Singh,

(2005) 5 SCC 1, has placed the matter before a Constitution Bench for reconsideration of the

Judgment of this Court in the case of Bangalore Water Supply & Sewerage Board vs. A.Rajappa,

(1978) 2 SCC 213 and that many other connected and similar matters have also been posted. Since the

identical question has now been raised in this Civil Appeal, we adjourn this matter awaiting the

decision of the Constitution Bench.

(Satish K. Yadav)

Court Master

(Phoolan Wati Arora)

Court Master