

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 (C) No(s). 19707/2013

(Arising out of impugned final judgment and order dated 09/04/2013 in WP No. 1510/2003 passed by the High Court Of U.p At Lucknow)

UP STATE AGRO INDUS. CORP. LTD. Petitioner(s)

VERSUS

RADHEY SHYAM GUPTA Respondent(s)

(With interim relief and office report)

Date : 14/08/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR
HON'BLE MR. JUSTICE A.K. SIKRI

For Petitioner(s)

Mr. Rajesh ,Adv.

For Respondent(s)

Mr. M.L. Varma, Sr. Adv.
Mr. Pavan Kumar ,Adv.
Ms. Neelam, Adv.

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

The termination of the respondent's service was the subject matter of the dispute and the Tribunal by order dated 31.12.1980 directed the reinstatement of respondent without making any specific direction with respect to the right of the respondent for the wages prior to that award. That part of the right of the respondent is not the subject matter of dispute before us.

Admittedly, even subsequent to the date of award, the respondent was not immediately reinstated but was reinstated in December 1998 when the petitioner eventually lost the battle in this Court in Civil Appeal No. 6344 of 1998. However, even for the period from the date of the

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award, i.e. 31.12.1980 till the date of reinstatement i.e.

Deepak Mansukhani
Date: 2014.08.20
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December, 1998, the respondent was not paid any amount.

Reason:

We are of the clear opinion that the respondent is entitled for all the amounts due to him under law by virtue of reinstatement order for the above-mentioned period. We do not see any error in the order of the High

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Court. The special leave petition is dismissed. However, having regard to the fact that the respondent has been litigating for more than three decades, we deem it appropriate to direct the petitioner to make the payment for the above-mentioned period within a period of eight weeks.

(DEEPAK MANSUKHANI)
COURT MASTER

(INDU BALA KAPUR)
COURT MASTER