

ITEM NO.26

COURT NO.11

SECTION XVI

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

Petition(s) for Special Leave to Appeal (Civil) No(s).19543/2012

(From the judgement and order dated 13/02/2012 in FMA No.492/2008 of The
HIGH COURT OF CALCUTTA)

NATIONAL INS.CO.LTD.

Petitioner(s)

VERSUS

MUN MUN BANERJEE & ORS.

Respondent(s)

(With prayer for interim relief)

Date: 24/07/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s)

Ms. Kiran Suri,Adv.

For Respondent(s)

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

Learned counsel for the petitioner relies on a judgment of
this Court reported in 2010 (12) SCC 378 titled Shyamwati Sharma and
others versus Karam Singh and others and submits that 30% deduction
has to be made on salary after deduction of income tax etc. and not on
the gross salary.

Issue notice.

In the meantime, the enhanced amount need not be paid.

(Sukhbir Paul Kaur)
Court Master

(Indu Bala Kapur)
Court Master