

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5463/2013

U.P. COOPERATIVE BANK LTD. & ANR.

APPELLANTS

VERSUS

PREM SHANKAR VAJPAYEE

RESPONDENT

ORDER

1. Pursuant to the order passed by this Court on 02nd November, 2023, Ms. Garima Prashad, learned Additional Advocate General states that her briefing counsel has obtained instructions to the effect that if the respondent would have continued to serve with the appellant No.1-Bank, he would have superannuated in the year 2011 and the amount payable to him would have been to the tune of ₹ 22,00,000/- (Rupees Twenty two lakhs only) (approximately).

2. We have perused the impugned judgment whereunder the respondent has been reinstated in service with full back wages. We have indicated to learned counsel for the respondent-Bank that having regard to the conduct of the respondent, this Court is inclined to interfere therein.

3. At this stage, learned counsel for the respondent had sought a pass over to obtain instructions from his client and states that the respondent would be satisfied if a lump sum amount is directed to be released in his favour.

4. We are of the opinion that interest of justice would be served in the

instant case if the appellants are directed to pay a sum of ₹10,00,000/- (Rupees Ten lakhs only) in full and final settlement of his claims, subject matter of the present appeal.

5. Accordingly, while invoking powers of this Court under Article 142 of the Constitution of India and with the purpose of doing complete and substantial justice in the matter, it is deemed appropriate to direct the appellant to pay a sum of ₹10,00,000/- (Rupees Ten lakhs only) to the respondent in full and final settlement of his claims against the appellants within six weeks from today. The bank account details of the respondent shall be furnished to the appellant for the department to deposit the amount through RTGS directly into the account of the respondent. It is made clear that the respondent shall not be entitled to any pensionary benefits etc. on his receiving the aforesaid amount.

6. The appeal stands disposed of on the above terms.

.....J.
(HIMA KOHLI)

.....J.
(AHSANUDDIN AMANULLAH)

NEW DELHI
10th JANUARY, 2024

ITEM NO.103

COURT NO.11

SECTION III-A

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

CIVIL APPEAL NO. 5463/2013

U.P. COOPERATIVE BANK LTD. & ANR.

Appellant(s)

VERSUS

PREM SHANKAR VAJPAYEE

Respondent(s)

Date : 10-01-2024 This appeal was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Appellant(s) Mrs. Garima Prasad, Sr.Adv./ A.A.G.
Mr. Pradeep Misra, AOR
Mr. Daleep Dhyani, Adv.
Mr. Manoj Kumar Sharma, Adv.
Mr. Suraj Singh, Adv.

For Respondent(s) Mr. Gaurav Jain, Adv.
Mr. Abhishek Misra, Adv.
Mrs. Deepika Mishra, Adv.
Mrs. Abha Jain, Adv.
Mr. Narendra Kumar Jain, Adv.
Mr. Rajesh Goyal, AOR

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

The appeal stands disposed of in terms of the signed order.

(Geeta Ahuja)
Assistant Registrar-cum-PS

(Signed Order is placed on the file)

(Nand Kishor)
Court Master (NSH)