

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).21337/2012

(From the judgement and order dated 10/02/2012 in SB No.578/2009 of The
HIGH COURT OF JUDICATURE AT ALLAHABAD, BENCH AT LUCKNOW)

U.P.POWER CORPORATION LTD AND ORS.

Petitioner(s)

VERSUS

MUNESH KUMAR SINGH

Respondent(s)

(With prayer for interim relief and office report)

Date: 03/07/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. GOKHALE
HON'BLE MR. JUSTICE MADAN B. LOKUR

For Petitioner(s) Mr. Sunil Kumar Jain,Adv.
Mr. Pawanshree Agrawal,Adv.
Mr. Madhur Jain,Adv.

For Respondent(s) Mr. S.R.Singh,Sr.Adv.
Mr. Avnish Singh,Adv.
Ms. Sunita Pandit,Adv.
Mr. Ankur Prakash,Adv.
Mr. Sushant K.Yadav,Adv.
Mr. Ram Shiromani Yadav,Adv.
Ms. Namita Choudhary,Adv.

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

Heard learned counsel for the petitioners and learned
senior counsel for the respondent.

Respondent was working in the petitioners'
Corporation as a Driver prior to 4.5.1990 and he continued to be
in service as on 28.11.1996.

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It was his case that in view of the policy of the
petitioner-Board issued on 28.11.1996, such persons were to be
regularized in service. Since the respondent's services were not
regularized, he approached the State Public Service Tribunal
which in turn directed the petitioners herein to consider the
case of the respondent for regularization. The said order has not
been disturbed by the High Court and therefore this special leave
petition has been filed. Learned counsel for the petitioners
submits that the respondent has been working elsewhere and was
not available for service.

Mr. S.R. Singh, learned senior counsel for the
respondent, on the other hand, disputed this submission and
stated that the respondent was not allowed to work.

Be that as it may, Mr. Singh is not so much keen on
the wages for the intervening period, rather he is more keen on
being employed for the respondent in the Corporation, inasmuch,

according to him, respondent was clearly covered under the policy of 28th November, 1996.

We quite see the merits in the submission of Mr. Singh. We, therefore, decline to interfere through this petition and the same stands dismissed. The

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petitioners will consider the case of the respondent for regularization of his service. Counsel for the petitioners seeks six weeks' time for taking necessary decision. The regularization, if done, will obviously be prospective. Respondent will not have any claim for the wages for the intervening period.

The SLP stands disposed of.

[SUMAN WADHWA]
AR-cum-PS

[SNEH LATA SHARMA]
COURT MASTER