

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.337/1999

(From the judgement and order dated 27/10/1998 in CMWP 34232/98
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

SARDAR MAKKHAN SINGH

Petitioner (s)

VERSUS

LAXMI NARAIN SHARMA & ORS

Respondent (s)

(With prayer for interim relief & office report)
(For Final Disposal)

Date : 03/11/2000 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI
HON'BLE MR. JUSTICE S.N. PHUKAN

For Petitioner (s) Mr. Chandra Shekhar,Adv.
Mr. S.K. Verma,Adv.

For Respondent (s) Mr.SK Dhawn,Sr.Adv.
M/s RB Misra, K.Misra,Rajesh Roshan,Adv.
Ms.Sangeeta Sharma,Adv.

Mr. Annam D.N. Rao,Adv.

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

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Leave is granted.

On the amount being so deposited by the appellant
within eight weeks, as directed in the signed order, the
appeal shall stand allowed, the order under challenge
shall stand set aside, the writ petition restored to its
file, the High Court shall then hear the Writ Petition
and decide the case on merits. But, in the event of
failure to deposit the amount within the specified
period, the appeal shall stand dismissed. No costs.

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[Naresh Kumar]
Court Master

[Kanwal Singh]
Court Master

[Signed order is placed on the file.]

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6192 OF 2000@@
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Sardar Makkhan Singh ... Appellant

vs.

Laxmi Narain Sharma & Ors. ... Respondents

O R D E R@@
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Leave is granted.
Heard the learned counsel for the parties.

This appeal is directed against the order of the High Court dated 27.10.1998 passed in CMWP 34232/98 declining to go into the merits of the case on the ground that the appellant herein did not express willingness to deposit the amount to be paid to the employees. A perusal of the order shows that by order dated March 7, 1998 the appellant was directed to pay Rs.52,200/- as wages which had been illegally deducted and an equal amount as compensation together with cost of Rs.200/-. These amounts sum up to Rs.1,04,600/-. Out of this amount the appellant has deposited Rs.50,000/- pursuant to the order of this Court. We grant eight weeks' time to the appellant to deposit the balance of the amount. On the amount being so deposited the order under challenge shall stand set aside, the writ petition restored to its file, the High Court shall then hear the writ petition and

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decide the case on merits. We hastened to add that in the event of failure to deposit the amount within the specified period, the appeal shall stand dismissed. No costs.

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.....J.
[SYED SHAH MOHAMMED QUADRI]

New Delhi,
November 03, 2000.
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.....J.
[S.N. PHUKAN]@@