

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).21428/2010

(From the judgement and order dated 23/04/2010 in WA No.51/2010 of The HIGH COURT OF CHHATTISGARH AT BILASPUR)

BEML LTD.

Petitioner(s)

VERSUS

GAJANAND THAWAIT

Respondent(s)

(With prayer for interim relief and office report)

Date: 08/10/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s) Mr. V. Shekhar, Sr. Adv.
Mr. Piyush Jain, Adv.
Mr. V.K. Sidharthan, Adv.

For Respondent(s) Mr. Rajesh, Adv.

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

On 9.8.2010, while issuing notice, this Court passed the following order:

Issue notice limited to the question of payment of 50% back wages to the respondent No.1.

Mr. V. Shekhar, senior counsel appearing for the petitioner, states that the respondent No.1 shall, of course, be paid all dues treating him under suspension.

It is clarified that the pendency of this SLP shall not stand in the way of the petitioner in carrying on with the departmental proceeding as per the direction of the High Court.

2. Mr. Rajesh, learned counsel for the respondent submits that though a statement was made by the learned senior counsel for the petitioner that respondent No. 1 shall be paid all dues treating him under suspension, no payment has been made as per the statement.

3. The above position has been made clear by the respondent No. 1 in the counter-affidavit filed by him but, this has not been denied by the petitioner by filing any rejoinder.

4. Having regard to the above, we are satisfied that this is not a fit case for exercise of our jurisdiction under Article 136 of the Constitution of India.

5. Special leave petition is dismissed.

|(Pardeep Kumar)
|Court Master

|(Renu Diwan)
|Court Master

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