

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

I.A.No.125566/2017 in Civil Appeal No(s).10210/2010

NUCLEAR POWER CORPORATION OF INDIA LTD.

Appellant(s)

VERSUS

HARI SINGH RATHORE

Respondent(s)

(IA No.125566/2017-EARLY HEARING APPLICATION in C.A. No. 10210 of 2010.)

WITH

[ITEM NO.45.1 - C.A. No.10211/2010 (XV)]

Date : 09-01-2018 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Appellant(s)	Mr. P.H. Parekh, Sr. Adv.
in CA No.10210/10	Mr. D.P. Mohanty, Adv.
& for respondent	Ms. S. Lakshmi Iyer, Adv.
in CA No.10211/10	Mr. Utkarsh Dixit, Adv.
	Ms. Ravleen Sabharwal, Adv.
	Mr. Sarthak Gaur, Adv. for
	M/s. Parekh & Co., Adv. [AOR]

For Respondent(s)	Dr. Nupur Bhati, Adv.
in CA No.10210/10	Ms. Aishwarya Bhati, Adv. [AOR]
& for appellant	Mr. Vishwajeet Singh, Adv.
in CA No.10211/10	Ms. Wimbie Sangma, Adv.
	Ms. Vaidrudi Mishra, Adv.
	Ms. Ritu Apurva, Adv.
	Ms. Heena Khan, Adv.
	Mr. T. Gopal, Adv.

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

Though the matter was listed for fixing an early date for hearing of the appeals, yet in view of the controversy involved, we think it appropriate to dispose of the appeals.

The civil appeals are accordingly disposed of without any order as to costs, in terms of the signed order.

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We may hasten to add that the questions of law raised in these appeals are kept open.

(Subhash Chander)  
AR-cum-PS

(H.S. Parasher)  
Assistant Registrar

[Signed Order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A.NO.125566 of 2017

IN

CIVIL APPEAL NO.10210 OF 2010

Nuclear Power Corporation of India Ltd. ....Appellant

Versus

Hari Singh Rathore ....Respondent

W I T H

CIVIL APPEAL NO.10211 OF 2010

O R D E R

Though the matter was listed for fixing an early date for hearing of the appeals, yet in view of the controversy involved, we think it appropriate to dispose of the appeals.

These are two appeals, one by the employer - Nuclear Power Corporation of India Ltd. and the other by the employee - Dr. (Major) Hari Singh Rathore assailing the judgment and order dated 25<sup>th</sup> September 2008 passed by the High Court in D.B. Civil Special Appeal (Writ) No.392 of 2007.

In the course of hearing, we have been apprised that the employee concerned has already attained the age of superannuation and, therefore, the question of reinstatement does not arise. We have also been apprised that a sum of Rs.20 lacs (Rupees twenty lacs) was directed to be deposited before the High Court of Rajasthan (Rs.5 lacs was directed to be deposited by an order of the High Court passed on 20.07.2007 and Rs.15 lacs by an order of this Court passed on 28.11.2008).

Keeping in view the facts and circumstances of the case, we

direct the said amount along with accrued interest be released in favour of the employee concerned, on proper identification by the Registry of the High Court of Rajasthan.

The civil appeals are accordingly disposed of without any order as to costs.

We may hasten to add that the questions of law raised in these appeals are kept open.

.....CJI.  
[DIPAK MISRA]

.....J.  
[A.M. KHANWILKAR]

.....J.  
[Dr. D.Y. CHANDRACHUD]

New Delhi.  
January 09, 2018.