

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7768 OF 2014  
[@ SPECIAL LEAVE PETITION (C) NO.12544 of 2012]

D.T.C.

Appellant(s)

VERSUS

MOHINDER SINGH

Respondent(s)

O R D E R

Leave granted.

Upon going through the impugned Judgment and upon hearing the learned counsel appearing for the parties, we are of the view that the respondent-conductor should not be paid full back wages for the period, during which he did not perform his duties.

We modify the impugned order accordingly.

We further direct that the respondent-conductor shall be paid 25% of the back wages for the period, during which he did not perform his duties and shall be paid 100% wages from the date, he started performing his duties.

It is clarified that if any amount has been paid in pursuance of the impugned order in excess of the aforesaid arrangement, the said amount shall be recovered in suitable instalments by the appellant-employer.

The Civil Appeal is allowed with no order as to costs.

.....J.  
[ANIL R. DAVE ]

.....J.  
[UDAY UMESH LALIT]

New Delhi;  
August 19, 2014.

ITEM NO.2

COURT NO.4

SECTION XV

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 SPetition(s) for Special Leave to Appeal (C) No(s).  
12544/2012(Against the final judgment and order dated 05.03.2012  
passed by the High Court of Delhi at New Delhi in LPA No.  
783 of 2011)

D.T.C.

Appellant(s)

VERSUS

MOHINDER SINGH

Respondent(s)

(with appln. (s) for exemption from filing O.T. and  
permission to file additional documents and interim relief  
and office report)Date : 19/08/2014 This petition was called on for hearing  
today.CORAM : HON'BLE MR. JUSTICE ANIL R. DAVE  
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Appellant(s) Dr. Monika Gusain, Adv.

For Respondent(s) Mr. Shailendra Bhardwaj, Adv.  
Mrs. Aroma S. Bhardwaj, Adv.UPON hearing counsel the Court made the following  
O R D E R

Leave granted.

The Civil Appeal is allowed in terms of the signed  
order.(Jayant Kumar Arora)  
Sr. P.A.(Sneh Bala Mehra)  
Assistant Registrar

(Signed order is placed on the file)