

ITEM NO.4 Court 6 (Video Conferencing) SECTION IV-A

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 (C) No(s). 10330/2020

(Arising out of impugned final judgment and order dated 13-02-2020 in WA No. 1876/2019 passed by the High Court of M.P. Bench at Gwalior)

PRESIDENT / SECRETARY MISS HILL EDUCATION
SOCIETY & ANR.

Petitioner(s)

VERSUS

KALLU RAM PRAJAPATI

Respondent(s)

(FOR ADMISSION and I.R. and IA No.85403/2020-EXEMPTION FROM FILING
O.T. and IA No.85408/2020-APPROPRIATE ORDERS/DIRECTIONS)

Date : 01-12-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Shyamal Kumar, AOR
Mr. K.C. Dubey, Adv.
Mr. B.S.Rajesh Agrajit, Adv.
Mr. Samdarshi Sanjay, Adv.
Ms. Jyoti Rana, Adv.
Ms. Dipti Singh, Adv.
Mr. Manjeet Pathak, Adv.
Mr. Sunil Kumar Tomar, Adv.

For Respondent(s)

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

The retrenchment of the respondent took place in the year 2014 and it is stated before us by learned counsel for the petitioners that he superannuated some time in 2018 and in the interregnum period of time also wages were being paid to him under Section 17B of the Industrial Disputes Act, 1947. Thus, the only question is

of balance wages for this period of four years.

In view of aforesaid facts and circumstances, we are of the view that this is not a fit case for exercise of jurisdiction under Article 136 of the Constitution of India even though we may have some reservations on the finding of malice as recorded in the impugned order.

The special leave petition is dismissed with the aforesaid observation.

Pending applications shall also stand disposed of.

(ASHA SUNDRIYAL)
AR-CUM-PS

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR