

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. 6063 OF 2017

RAM NATH PRASAD

Appellant(s)

VERSUS

HINDUSTAN PREFAB LIMITED

Respondent(s)

ORDER

The appellant applied for Voluntary Retirement from the post of Senior Project Engineer in Hindustan Prefab Ltd. with effect from 26.05.2006. Even after acceptance of the request for Voluntary Retirement, according to the appellant, he was not relieved. The respondent contended that the voluntary retirement was never acted upon and the respondent, in fact, resigned with effect from 26.09.2007.

The Central Administrative Tribunal and the High Court, accepting the stand of the respondent, denied relief to the appellant.

On 23.08.2023, on filing of a calculation memo by the learned counsel for the appellant, the respondent was directed to file the calculation of their own. On

filing the said calculation on affidavit, we passed the following order on 14.09.2023 :-

“As per the additional affidavit filed by the respondent, approximate dues which may be payable to the appellant are Rs. 4,35,132/-. Without prejudice to the rights of the parties, the said amount be deposited by the respondent within a period of six weeks from today in the Registry of this Court.

Upon deposit, the said amount be kept in an interest bearing fixed deposit with a Nationalised Bank on auto renewal basis.

List the matter after six weeks.”

In furtherance to the said affidavit and the directions as issued by this Court, a sum of Rs. 4,35,132/- has been deposited by Hindustan Prefab Ltd., as indicated by the Office Report dated 07.11.2023.

After hearing learned counsel for the parties and taking note of the calculations as filed by the appellant and the respondent, we find that the calculation made

by the respondent is fair and reasonable, which shall serve the interest of justice. In view of the above, we dispose of this appeal, affirming the orders of the Courts below, with a modification that an amount of Rs.4,35,132/- be further paid to the appellant. In view of the above, the amount deposited pursuant to the directions of this Court be transferred to the bank account of the appellant, on furnishing the account details to the Registry of this Court.

In view of aforesaid, the appeal stands disposed of.

Pending interlocutory application(s), if any, is/are disposed of.

.....**J.**
[**J. K. MAHESHWARI**]

.....**J.**
[**K. V. VISWANATHAN**]

New Delhi;
NOVEMBER 09, 2023.

ITEM NO.108

COURT NO.12

SECTION XIV-A

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

Civil Appeal No(s). 6063/2017

RAM NATH PRASAD

Appellant(s)

VERSUS

HINDUSTAN PREFAB LIMITED

Respondent(s)

IA No. 73817/2023 - EXEMPTION FROM FILING O.T.

IA No. 73816/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES

Date : 09-11-2023 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Appellant(s) Dr. K. S. Chauhan, Sr. Adv.
Mr. Ajit Kumar Ekka, AOR
Mr. Murari Lal, Adv.
Mr. S. P. Singh, Adv.
Mr. Abhishek Chauhan, Adv.
Mr. Ajit Kumar, Adv.
Dr. K. Elumalai, Adv.

For Respondent(s) Ms. Deepika Mishra, Adv.
Mr. Abhishek Misra, Adv.
Mr. P. K. Mehdiratta, Adv.
Mr. Ram Singh, Adv.
Mrs. Rachna Gupta, AOR

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

The Civil Appeal is disposed of in terms of the signed order.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
ASTT. REGISTRAR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER

(Signed order is placed on the file)