

ITEM NO.8

COURT NO.3 SECTION XII  
(HEARING THROUGH VIDEO CONFERENCING)

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

SPECIAL LEAVE PETITION (CIVIL) Diary No.15947/2020

(Arising out of impugned final judgment and order dated 04-01-2019 in WP No.15413/2011, 05-04-2019 in WA No.1217/2019, 05-04-2019 in CMP No.8401/2019 passed by the High Court Of Judicature At Madras)

THE CHIEF ADMINISTRATIVE OFFICER (CONSTRUCTION)  
SOUTHERN RAILWAY, EGMORE, CHENNAI

Petitioner(s)

VERSUS

E. HARIKRISHNAN

Respondent(s)

FOR ADMISSION and I.R.; IA No.83284/2020 - FOR CONDONATION OF DELAY IN FILING; and, IA No.83287/2020 - FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 18-11-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MR. JUSTICE VINEET SARAN  
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s) Ms. Madhavi Divan, ASG  
Ms. Reena Pandey, Adv.  
Ms. Vimla Sinha, Adv.  
Mr. Raj Bahadur Yadav, AOR

For Respondent(s)

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

Delay condoned.

The order of termination in the present case was passed on the ground that the Community Status claimed by the respondent was not accepted by the District Collector in an inquiry conducted to check whether the respondent belonged to the Scheduled Caste Category or

not. However, considering the fact that the respondent had not claimed any benefit from the status that was projected, the High Court affirmed the decision of the Single Judge in interfering with the award passed by the Labour Court.

Heard Ms. Madhavi Divan, learned ASG in support of the petition. She fairly accepted that so long as the respondent did not claim any status that he belonged to the Scheduled Caste Category, the petitioner would not have any objection as regards the decision of the Single Judge and the Division Bench in setting aside the order of termination.

We record the Statement and dispose of these Special Leave Petitions in terms of said Statement.

Pending applications, if any, also stand disposed of.

(MUKESH NASA)  
COURT MASTER

(BEENA JOLLY)  
BRANCH OFFICER