

ITEM NO.10

COURT NO.6

SECTION XI

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

Petition(s) for Special Leave to Appeal (C).....CC No(s).
24276/2016

(Arising out of impugned final judgment and order dated 09/05/2016
in WPC No. 9985/2016 passed by the High Court Of Judicature at
Allahabad, Lucknow Bench)

UNION OF INDIA AND ORS.

Petitioner(s)

VERSUS

AVIRAL KUMAR PANDEY AND ORS.

Respondent(s)

(with appln. (s) for c/delay in filing SLP and office report)

Date : 27/01/2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s) Mr. A. N. S. Nadkarni, ASG
Mr. Atul Chitale, Sr. Adv.
Mr. A. K. Srivastava, Adv.
Ms. Niranjana Singh, Adv.
Mr. G. S. Makkar, Adv.
Mr. Ram Bhaj, Adv.
Ms. Akanksha Ghose, Adv.
Mr. D. S. Mahra, Adv.

For Respondent(s)

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

Delay condoned.

Finding that the termination of the respondents is without
notice, the Central Administrative Tribunal (CAT) directed the
petitioners to reinstate the workmen without back wages. The
Tribunal also reserved liberty to take suitable action in
accordance with law, if they are so advised.

That was challenged before the High Court by the

petitioners. The petition was dismissed having regard to the order passed by the Tribunal.

The learned Additional Solicitor General submits that the liberty reserved by the Tribunal is not reflected in the order passed by the High Court.

Having gone through the order passed by the High Court, it is clear that the High Court only declined to interfere with the order passed by the Tribunal in view of the liberty given to the petitioners to take appropriate action in accordance with law, if required and if so advised. Therefore, we find no basis for such an apprehension.

The Special Leave Petition is, accordingly, dismissed.

Pending interlocutory applications, if any, stand disposed of.

(Jayant Kumar Arora)
Court Master

(Renu Diwan)
Assistant Registrar