

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No(s). OF 2017
(Arising out of SLP(C) No.2897 of 2017)

RAJENDER KUMAR

APPELLANT (S)

VERSUS

DELHI TRANSPORT CORPORATION

RESPONDENT (S)

O R D E R

Leave granted.

Heard learned counsel for the parties.

We find that the approach of the Division Bench of the High Court cannot be said to be appropriate and it tantamount to hyper technical approach and cannot be said to be in accordance with law. Punishment was extremely harsh and disproportionate. The respondent-therein has been reinstated pursuant to the award passed by Labour Court and is working. Therefore we set aside the judgment and order passed by the Division Bench of the High Court and restore the judgment and order passed by the Single Bench of the High Court affirming the order passed by the Presiding Officer, Labour Court.

Accordingly, the appeal is disposed of.

.....J.
(ARUN MISHRA)

.....J.
(MOHAN M. SHANTANAGOUDAR)

NEW DELHI ;

SEPTEMBER 21, 2017

ITEM NO.3

COURT NO.10

SECTION XIV

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) No(s). 2897/2017

(Arising out of impugned final judgment and order dated 30-09-2016
in LPA No. 250/2016 passed by the High Court of Delhi At New Delhi)

RAJENDER KUMAR

Petitioner(s)

VERSUS

DELHI TRANSPORT CORPORATION REGIONAL MANAGER
& ANR.

Respondent(s)

Date : 21-09-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Ms. Preeti Saini, Adv.
Mr. Anar Nath Saini, Adv.
Mr. Rabin Majumder, AOR

For Respondent(s) Ms. Asha Gopalan Nair, AOR

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

The appeal is disposed in terms of the signed order.

Pending application, if any shall stand disposed of.

(NEELAM GULATI)
COURT MASTER (SH)(TAPAN KUMAR CHAKRABORTY)
BRANCH OFFICER

(signed order is placed on the file)