

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5974 OF 2010
[arising out of SLP(C) No.21877 of 2009]

SUSHIL KUMAR

.....

APPELLANT

VERSUS

UNIV. OF DELHI

.....

RESPONDENT

O R D E R

Leave granted.

We had issued notice on the question of back wages only in this appeal by the workman. We see from the order of the High Court dated 9th September, 2008 that the total claim towards back wages was Rs. 3.5 lakhs but the High Court while declining reinstatement and other claims made by the appellant herein against the University, had ordered the payment of Rs. 1.5 lakhs as a lump sum payment.

Today, the learned counsel for the University submits that he would leave it to the Court to fix such amount as compensation as the Court thought proper. We put it to the learned counsel for the

appellant as to whether he too would make a similar submission. He very kindly agreed to do so. We, accordingly, increase the compensation from Rs. 1.5 lakhs to Rs 2 lakhs in all.

We are told by the learned counsel for the University that the sum of Rs. 1.5 lakhs has already been paid to the appellant. We, accordingly, direct that the balance amount of Rs. 50,000/- shall be paid within a period of one month.

We, further, leave it open to the University to consider the possibility of giving a fresh appointment to the appellant in case some post is available although we hasten to clarify that the appellant would not claim the re-appointment as a matter of right.

The appeal is disposed of accordingly.

.....J
[HARJIT SINGH BEDI]

.....J
[C.K.PRASAD]

NEW DELHI
JULY 19, 2010.



