

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 9766-9767 OF 2010  
[Arising out of SLP(C) No.2374-2375/2006]

STATE OF U.P. & ORS.

.....APPELLANTS

Versus

DHIRAJ SINGH

.....RESPONDENT

O R D E R

Leave granted. Heard.

2. The State of Uttar Pradesh challenges the order dated 2.4.2003 passed by the Division Bench of the Allahabad High Court dismissing its Special Appeal against the order dated 11.2.2000 passed by the learned single Judge setting aside the termination dated 17.3.1998 issued to the respondent. The only issue raised by the State is in respect of its liability to pay back wages to respondent.

3. When the matter came up today, learned counsel for the respondent pointed out that the High Court has merely followed the decision in other connected matters and what has been ordered is only quashing of the termination of service of respondent and there is no direction for payment of any back wages to respondent; and that therefore, there is no need to pay any back wages to the respondent. It is stated that the respondent has already retired from service and, therefore, he will be entitled only to to continuity in service for purposes of

retiral benefits, as a consequence of quashing of the termination but not back wages.

.....2.

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4. In view of the said fair submission, we dispose of these appeals with a clarification that quashing of the termination would entitle the respondent only for reinstatement and continuity in service but not for any back wages.

New Delhi;  
November 19, 2010.

.....J.  
( R.V. RAVEENDRAN )

.....J.  
( A.K. PATNAIK )



JUDGMENT