

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5341 OF 2011
(Arising out of SLP(C) No.1312/2008)

REGIONAL INSTITUTE OF PRINTING TECHNOLOGY,
KOLKATA

Appellant(s)

:VERSUS:

ARUP KUMAR MOOKHERJEE & ORS.

Respondent(s)

O R D E R

1. Leave granted.
2. We have heard the learned counsel for the parties.
3. The appellant has already paid Rs.10,56,410/- to respondent No.1 towards the pay and allowances for the period 1.4.1974 to 31.12.1994. Learned senior counsel appearing on behalf of respondent No.1 submits that respondent no.1 has received that amount but he has not been paid any pension from 1.1.2007 onwards. This is not disputed by the counsel for the appellant and they have agreed to pay. Consequently, we direct the appellant to pay

balance amount of pension within two weeks. The appellant is further directed to regularly pay monthly pension to the respondent in accordance with law.

4. Respondent No.1 has not been paid any amount which was legitimately due and payable to him for the last 37 years. The respondent was also compelled to contest and defend litigation in various courts for more than 37 years.

5. On consideration of totality of the facts and circumstances of this case, we deem it appropriate to direct the appellant to pay a lump sum amount of Rs.5 lakhs to respondent No.1 towards payment of interest and costs, within two weeks from today. We are giving this short period for payment considering the fact that respondent No.1 is suffering from advanced stage of cancer and require money urgently for his treatment.

6. Learned senior counsel appearing for the respondents states that the formalities which are necessary for getting the pension shall be completed within a week.

7. This appeal is disposed of with the

aforementioned observation and direction.

.....J
(DALVEER BHANDARI)

.....J
(DEEPAK VERMA)

New Delhi;
July 11, 2011.

