

Kamaljit Kaur vs The State Of Punjab on 11 July, 2017

Author: Kurian Joseph

Bench: R. Banumathi, Kurian Joseph

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4484 OF 2009

KAMALJIT KAUR

Appe

VERSUS

THE STATE OF PUNJAB & ORS.

Resp

WITH

CIVIL APPEAL NO. 4485 OF 2009

J U D G M E N T

KURIAN, J.

CIVIL APPEAL NO. 4484 OF 2009

1. The learned counsel appearing on both sides submit that the matter pertains to appointment of an Anganwadi worker and essentially it is a dispute between the daughter and the daughter-in-law.
2. The daughter-in-law, after the interim orders passed by this Court, has rejoined and has been working, in any case, for the last 10 years. She has past service also.
3. Having regard to the factual matrix as above, we do not think that the merits of the matter need to be considered and it is a case where this Court should invoke its jurisdiction under Article 142 of the Constitution of India for striking equity and doing complete justice.
4. Therefore, invoking our jurisdiction under Article 142 of the Constitution of India, we dispose of this appeal with a direction to the appellant to pay an amount of Rs. 1,00,000/- (Rupees One Lakh) to Respondent No. 4. The amount shall be paid by way of a Demand Draft drawn in the name of Respondent No.4 within a period of three months from today. We make it clear that this is in full

and final settlement of all the claims of Respondent No. 4. Needless also to say that the appellant shall be treated to be in service for all purposes.

5. The impugned Judgment of the High Court is modified to the above extent.

CIVIL APPEAL NO. 4485 OF 2009

1. In view of the Judgment passed in Civil Appeal No. 4484 of 2009 above, no separate orders need be passed in this case.

2. The appeal is, accordingly, disposed of.

.....J. [KURIAN JOSEPH]J. [R. BANUMATHI] New Delhi;

July 11, 2017.

ITEM NO.102

COURT NO.6

SECTION IV

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

Civil Appeal No(s). 4484/2009

KAMALJIT KAUR

Appellant(s)

VERSUS

THE STATE OF PUNJAB & ORS.

Respondent(s)

WITH

Date : 11-07-2017 These appeals were called on for hearing today. CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH HON'BLE MRS. JUSTICE R. BANUMATHI For Appellant(s) Tushar Bakshi, AOR For Respondent(s) Mr. Tarun Gupta, Adv.

Ms. S. Janani, AOR Ms. Anusha Nagarajan, Adv.

Ms. Ranjeeta Rohtagi, Adv.

UPON hearing the counsel the Court made the following O R D E R The appeals are disposed of in terms of the signed non-reportable Judgment Pending interlocutory applications, if any, stand disposed of. (JAYANT KUMAR ARORA) (RENU DIWAN) COURT MASTER ASSISTANT

REGISTRAR (Signed non-reportable Judgment is placed on the file)