

Supreme Court of India

District Manager, A.P.S.R.T.C vs N.Lakshminarayana on 30 March, 1994

Equivalent citations: 1994 SCC (3) 379, JT 1994 (7) 52

Author: K Singh

Bench: Kuldip Singh (J)

PETITIONER:

DISTRICT MANAGER, A.P.S.R.T.C.

Vs.

RESPONDENT:

N. LAKSHMINARAYANA

DATE OF JUDGMENT 30/03/1994

BENCH:

KULDIP SINGH (J)

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KULDIP SINGH (J)

YOGESHWAR DAYAL (J)

CITATION:

1994 SCC (3) 379                      JT 1994 (7)                      52

1994 SCALE (2) 426

ACT:

HEADNOTE:

JUDGMENT:

The Judgment of the Court was delivered by KULDIP SINGH, J.- N. Lakshminarayana, respondent in the appeal herein, was working as an Assistant Mechanical Supervisor with the Andhra Pradesh State Road Transport Corporation (Corporation). He was placed under suspension with effect from 21-10-1974 on the basis of the allegation that he was found stealing certain articles belonging to the Corporation. The respondent was tried by the criminal court for the offence of theft and was finally acquitted by the court on 17-3-1976. During the period when the criminal proceedings were in progress, the respondent was also chargesheeted and a departmental enquiry was held against him. It is not necessary for us to go into the factual details any more and suffice it to say that the respondent was finally reinstated into service. The question for consideration before the High Court was whether the respondent was entitled to the payment of full remunerations during the period when he remained under suspension as a result of the criminal trial and the departmental enquiry. The High Court answered the question in the affirmative and in favour of the respondent. This appeal by way of special leave petition is against the judgment of the High Court.

2. On the interpretation of Regulations 18, 20 and 21 of the Andhra Pradesh State Road Transport Corporation Employees (Classification, Control and Appeal) Regulations, 1967 (the Regulations) the High Court came to the conclusion that the respondent was entitled to the full remuneration for the period during which the respondent remained under suspension. It is not disputed that Regulations 18 and 20 of the Regulations were amended with effect from 12-9-1977. As a result of the amendment Regulation 20(3) of the Regulations was deleted. Since the suspension period of the respondent was prior to 12-9-1977 the date of the amendment of the Regulations the High Court based its judgment on the unamended Regulations. It is not necessary for us to go into the merits of the High Court judgment because the amended Regulations have considerably changed the legal position. In our view the High Court judgment is not a precedent on the interpretation of the amended Regulations. Even otherwise in view of our judgment in civil appeals arising out of Special Leave Petition (C) Nos. 15348-49 of 1993 and 17932-34 of 1993 dated 30-3-1994 the impugned judgment of the High Court is no longer a good law.

3. Mr Altaf Ahmed, learned Additional Solicitor General appearing for the appellant has fairly stated that the Corporation shall, in any case, comply with the judgment of the High Court and pay the remunerations granted to the respondent if not already paid. We dispose of the civil appeal in the above terms. No costs.