

Supreme Court of India

R.D. Kodre vs Management Of The Deccan ... on 7 September, 1983

Equivalent citations: 1983 (2) SCALE 980, 1984 Supp (1) SCC 662, 1984 (16) UJ 52 SC

Bench: A Varadarajan, D Desai, O C Reddy

ORDER

1. With the consent of parties, the appeal is disposed of as under :
2. Respondent shall withdraw the order terminating the service of the appellant and the appellant shall be reinstated in service with continuity of service with effect from November 1, 1983, the date on which the new semester will commence.
3. Under the direction of the University Tribunal the respondent had to pay arrears of emolument from June 28, 1978 to the date of the reinstatement equivalent to his salary less the amount received by the appellant by way of scholarship. Pursuant to this direction, whatever amount has been deposited by the respondent shall be paid to the appellant and the appellant would be entitled to withdraw the same, if not already withdrawn.
4. After this Court granted special leave to appeal to the appellant, a direction was given that the respondent shall pay half the salary per month to the appellant till the disposal of the appeal. The appeal is not being disposed as the date of reinstatement of the appellant is fixed on November 1, 1983. The respondent shall pay and continue to pay half the salary which was directed to be paid under the interim order made by this Court upto and inclusive of October 31, 1983 and the appellant shall be entitled to be restored to full salary effective : from November 1, 1983.
5. To the extent this order is to replace the decision of the High Court, the decision of the High Court is set aside and the order herein made shall be substituted and the appeal is disposed of in terms of this order with no order as to costs.
6. Security, if any, furnished by the appellant before the University Tribunal for withdrawing the amount deposited by the respondent shall stand discharged.