

SUPREME COURT OF INDIA

Manager, Moongalar Estate

Vs.

Chandra

C.A.No.2272 of 2002

(Tarun Chatterjee and DR. Mukundakam Sharma JJ.)

29.08.2008

ORDER

1. Heard learned counsel for the appellant.
2. No one appeared on behalf of the respondent although the respondent was duly served.
3. This appeal arises out of a judgment of the High Court of Kerala at Ernakulam, by which, the appeal of the respondent was allowed and a sum of Rs.50,000/- was awarded to the widow of the deceased employee of the present appellant.

Considering the facts and circumstances of the present case and the impugned judgment of the High Court, we are not inclined to interfere with the said Judgment of the High Court in the exercise of our discretionary powers under Article 136 of the Constitution of India.

4. Accordingly, the Civil Appeal is dismissed with no order as to costs. Interim order, if any, shall stand vacated.
5. However, we make it clear that the question of law involved in this appeal is kept open to be decided in appropriate case and dismissal of this appeal will not be treated as precedent in other similar cases.