

SUPREME COURT OF INDIA

Haryana Dairy Development Cooperative Federation Limited

Vs.

Jagdish Lal

(Dr.B.S.Chauhan and J.Chelameswar JJ.)

13.01.2014

ORDER

1. In spite of the fact that the Parliament has amended the Code of Civil Procedure, 1908 altering the provisions of Section 102 CPC providing that money recovery suit involving less than Rs. 25,000/- shall not be entertained in Second Appeal, we are being burdened with cases where the litigation cost may be hundred times more than the amount involved. It has become the definite attitude of the officials not to take any responsibility even for petty issues and would waste public money approaching this Court. Government departments would spend any amount on litigation instead of paying petty amount to the other party. In the instant case, an amount of Rs. 8,724/- is to be paid to the respondent employee as reimbursement of his medical claim and the petitioner Haryana Dairy Development Cooperative Federation Limited treating the litigation as luxury must have spent the amount already by filing this petition more than the total amount involved herein.

2. Many a time this Court has felt unhappy about the time of the Court being taken for days together by petty matters. (The Constitution Bench judgment Sukhdev Singh, Oil & Natural Gas Commission, Life Insurance Corporation, Industrial Finance Corporation Employees Associations Vs. Bhagat Ram, Association of Class II, Officers, Shyam Lal, Industrial Finance Corporation AIR 1975 SC 1331). In Kadra Pahadiya and Others Vs. State of Bihar AIR 1997 SC 3750, this Court observed that if the load of such petty cases is taken out of the regular Courts, those Courts would have time to deal with more serious crimes rather than have their time consumed by such petty cases.

3. The Law Commission of India in its 155th report has observed that what further agitates is the number of pending litigations relating to trivial matters or petty

claims, some of which has been hanging for more than fifteen years. It hardly needs mention that in many such cases money spent on litigation is far in excess of the stakes involved, besides wasting valuable time and energy of the concerned parties as well as the Court.

4. We direct that the expenses of the litigation shall be incurred by the Managing Director personally who has signed affidavit in support of the petition and it shall not be taken from the Federation. A copy of the order be sent to the learned Chief Secretary of the State of Haryana as well as to the Managing Director. The special leave petition is dismissed. In view of the above, question of law, if any is kept open.