

SUPREME COURT OF INDIA

Hindustan Petroleum Corporation Ltd.

Vs.

Raghunath Bhagwan Satpal

C.A.No.3361 of 2017

(Kurian Joseph and R.Banumathi,JJ.,)

27.02.2017

JUDGMENT

Kurian Joseph,J.,

SLP(Civil) No.21823/2015

1. Leave granted.
2. The appellant/corporation is before this Court, aggrieved by the order dated 13.04.2015 directing the appellant/corporation to reinstate and continue the respondent in service, however, without back wages but with all other service benefits.
3. Thanks to the gracious cooperation rendered by Shri J.P. Cama, learned senior counsel appearing for the appellant, we are able to find a solution to the whole issue.
4. It is submitted that the respondent is willing to work in any vacancy of a Class IV employee in a place anywhere near to Sholapur, on account of his health problem, in case his pay is protected.
5. Learned senior counsel for the appellant, on instruction, submits that the appellant/corporation, can, as a special case, accommodate him in Pune.
6. The respondent be accommodated in a Class IV vacancy, protecting his pay and all other service benefits, without back wages, and is permitted to continue in service but work in a Class IV post in Pune. On receipt of the appointment and transfer order, as above, which is to be issued in two weeks, the respondent will report for duty within two weeks.
7. We also make it clear that in case there arises any Class IV vacancy in Sholapur, he shall be considered for accommodation there.

8. The impugned order is set aside and this appeal is disposed of, as above. Question of law is kept open.

9. Pending application(s), if any, shall stand disposed of.

10. There shall be no orders as to costs.