

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 963 OF 2009

J. LINET

Appellant(s)

VERSUS

THE ASSISTANT MANAGER (DEPOT)
FOOD CORPORATION OF INDIA & ORS.

Respondent(s)

J U D G M E N T

KURIAN, J.

1. All that survives in this appeal is a claim made by the appellant for additional payment for work rendered by the appellant in the post of Messenger in addition to her normal work. In the impugned Judgment, at paragraph 4, the High Court has entered a finding to the effect that the appellant has, in fact, worked in the post of Messenger for two and a half years.

2. Paragraph 4 of the impugned Judgment reads as under :-

"But the appellant is justified in contending that she is entitled to additional payment on the strength of Exhibit P2 order whereby she had been allotted additional duty

in an office as a messenger in addition to her normal work. Therefore, the respondents shall consider payment of additional remuneration to the appellant for the days she had worked as messenger in addition to her normal work. It is also made clear that as the entire case of the petitioner had been reconsidered and a fresh order was passed as per Exhibit R3(A), the appellant-petitioner will be entitled to seek her remedy against it as per law"

3. The learned counsel appearing for the respondents, however, has invited our attention to order dated 12.12.2005 whereby the case of the appellant has been considered and by way of a speaking order, the same has been rejected. We find it difficult to appreciate the submission.

4. The finding of the High Court as against the respondents has become final. In the above circumstances, this appeal is disposed of with a direction to the respondents to disburse the difference in wages for the period of two and a

half years in the post of Messenger after adjusting the emoluments already granted to her while working as a casual worker. The needful will be done within two months from today.

No costs.

.....J.
[KURIAN JOSEPH]

.....J.
[MOHAN M. SHANTANAGOUDAR]

New Delhi;
February 08, 2018.

ITEM NO.103

COURT NO.5

SECTION XI -A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 963/2009

J. LINET

Appellant(s)

VERSUS

THE ASSTT. MANAGER (DEPOT)
FOOD CORPORATION OF INDIA & ORS.

Respondent(s)

Date : 08-02-2018 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGUDAR

For Appellant(s) Mr. V. K. Sidharthan, AOR
Mr. Shabu Sreedharan, Adv.

For Respondent(s) Mr. Ajit Pudussery, AOR
Mr. K. Vijayan, Adv.
Mr. Ajeet Singh Verma, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The appeal is disposed of in terms of the signed
non-reportable Judgment.

Pending Interlocutory Applications, if any, stand disposed of.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR

(Signed non-reportable Judgment is placed on the file)