

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A.NO. 5/2017 IN & CIVIL APPEAL NO(S). 2811/2016

HARYANA STATE SMALL INDUSTRIES AND EXPORT
CORPORATION LIMITED & ANR

APPELLANT(S)

VERSUS

RANBIR SINGH & ORS.

RESPONDENT(S)

J U D G M E N T

KURIAN, J.

Civil Appeal No. 2811/2016 is taken on the Board.

2. Leave granted.

3. The only short question involved in this appeal is, whether the five employees referred to in the appeal are actually surplus and if so, whether they are entitled for the benefits under the ACP Scheme.

4. In the peculiar facts of this case, we find that these five employees have been retained pursuant to the directions issued by the Court. Therefore, we are of the view that they stand on a different footing and on facts they are not to be treated as surplus. Therefore, they are entitled to the ACP.

5. In that view of the matter, we dismiss this appeal, however, making it clear that this judgment is only in the peculiar facts of this case. We grant a period of two months to the appellants to comply with this judgment making it further clear that in case the benefits are not disbursed to the employees in two months, they will be entitled to interest at the rate of 18% per annum and the officers responsible for the delay will be personally liable for the same.

6. I.A. No.5 of 2017 is also disposed of.

7. Pending applications, if any, shall stand

disposed of.

8. There shall be no orders as to costs.

.....J.
[KURIAN JOSEPH]

.....J.
[R. BANUMATHI]

NEW DELHI;
APRIL 24, 2017.

SUPREME COURT OF INDIA



JUDGMENT