

SAT 425 of 2011
CAN 2 of 2011 (Old No. CAN 10431/2011)

M/S. Eastern Coalfields Limited
Vs.
Sri Baboo Lal & Ors.

Mr. Debnath Ghosh
Mr. B. Mukherjee
Mr. P. Bose For the appellant

Mr. Guddu Singh
Ms. Ankita Banerjee ... For the respondents

1. Having regard to the nature of the controversy, we felt that the matter should be amicably settled as the respondent was working as a teacher and he continued to be a teacher of this school till November, 2024 when he retired from service.
2. The dispute is with regard to the honorarium to which the plaintiff was entitled during the time, he rendered his service and in view of the refusal by the appellant to pay such honorarium on a spacious plea that the appellant had no connection with the school a suit was filed by the respondent for a declaration that he will be eligible to get such recurring grant in lieu of his service. The suit was decreed.
3. A faint attempt was made on behalf of the appellant to sustain a plea that the decree passed would be barred by limitation. However, the execution application is pending and in an earlier civil revision the Court directed the appellant to furnish bank guarantee to a sum of Rs.10 lakhs covering the honorarium to which the appellant

would be entitled if the appeal fails. During the hearing of this matter, suggestions were exchanged and it has been agreed that appellant shall pay a sum of Rs.13 lakhs in full and final settlement to the claim of the respondent / decree holder towards the honorarium without requiring the Court to adjudicate on the issues raised the appeal.

4. In view thereof, the appellant shall pay a sum of Rs.13 lakhs within two weeks from date.
5. The execution case shall remain stayed for a period of two weeks. In the event the said amount is paid within the aforesaid period, the executing court shall record satisfaction of the decree.
6. The bank guarantee stands discharged.
7. With the aforesaid direction the appeal and the application are accordingly disposed of.

(Soumen Sen, J.)

(Apurba Sinha Ray, J)