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ITEM NO.17

COURT NO.8

SECTION XVIA

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2014  
CC 696-697/2014

(From the judgement and order dated 15/05/2013 in SWP No.406/2013,IA  
No.649/2013 of The HIGH COURT OF J & K AT JAMMU)

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

NAYEEMA AHMAD

Respondent(s)

(With appln(s) for c/delay in filing SLP)

Date: 27/01/2014 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

HON'BLE MR. JUSTICE A.K. SIKRI

For Petitioner(s) Mr. Rajeev Sharma, Adv.  
Mr. Sahil Bhalaik, Adv.  
Mr. Uddyam Mukherjee, Adv.

For Respondent(s) Mr. R.A. Jan, Sr. Adv.  
Mr. Milan Laskar, Adv.  
Mr. Shakil Ahmed Syed, AOR

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

Learned counsel for the petitioners relies on judgment of this Court in Civil Appeal No. 4611 of 2008 titled Director General ESIC and Another vs. Purushottam Malani decided on 22.07.2008 in support of the submission that the respondent could not have withdrawn the notice of voluntary retirement without the approval of the petitioners. Since the withdrawal notice was accepted on 22.3.2000, the High Court has erred in directing that the respondent should be reinstated in service and that too with back wages.

Issue notice on the applications for condonation of delay and also on the special leave petitions.

In the meantime, further proceedings in the contempt petition shall remain stayed.

|(Parveen Kr.Chawla)

| Court Master

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| |(Indu Bala Kapur)

| | Court Master

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