

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
I.A.NO.2 OF 2012  
IN  
CIVIL APPEAL NO.6252 OF 2004

VIMAL KISHORE

Appellant (s)

VERSUS

NATIONAL BANK FOR AGRI.& RURAL DEV.&ORS

Respondent(s)

(With appln(s) for clarification of court's order and office report)

Date: 22/03/2012 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK  
HON'BLE MR. JUSTICE SWATANTER KUMAR

For Appellant(s)

Mrs.Rachana Joshi Issar,Adv.  
Ambreen Rasool,Adv.  
Mr. Alok Prakash,

For Respondent(s)

Mr. P. Narasimhan,Adv.

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

In terms of the signed order, I.A.No.2 of 2012 is disposed of with liberty to the applicant to file the separate writ petition or seek any other remedy for the aforesaid purpose.

(O.P. Sharma)  
Court Master

(M.S. Negi)  
Court Master

(Signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A.NO.2 OF 2012

IN

CIVIL APPEAL NO.6252 OF 2004

VIMAL KISHORE

..Appellant/Applicant

VERSUS

NATIONAL BANK FOR AGRICULTURE AND  
RURAL DEVELOPMENT & ORS.

..Respondents

O R D E R

This is an application for clarification of this Court's order dated 9.3.2010. The clarification sought is that the applicant is entitled to restoration of its original Grade 'D' with effect from 14.5.2003 with the benefit of seniority and pay and simultaneous promotion from Grade 'D' to Grade 'E' with effect from 14.5.2003 as the applicant has been found suitable for promotion of Grade 'E' by the respondents.

We have perused our order dated 9.3.2010 by which we had directed the respondents to consider the applicant for promotion to Grade 'E' in accordance with the rules and we do not find therein any specific direction to the respondents as to the date with effect from which the applicant will be given the benefits of promotion from

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Grade 'D' to Grade 'E' in case he is promoted in accordance with the rules. Hence, the proper course for the applicant would be to file a separate writ petition or seek any other remedy for the benefits of retrospective promotion.

I.A.No.2 of 2012 is disposed of with liberty to the applicant to file the separate writ petition or seek any other remedy for the aforesaid purpose.

.....J.  
[ A.K. PATNAIK ]

NEW DELHI  
MARCH 22, 2012

.....J.  
[ SWATANTER KUMAR ]