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ITEM NO.11

COURT NO.2

SECTION XIV

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) No(s).12544/2013

(From the judgement and order dated 18/09/2012 in CWP No.6759/2012 of The
HIGH COURT OF H.P AT SHIMLA)

STATE OF H.P. & ORS.

Petitioner(s)

VERSUS

RAVINDER KUMAR & ORS.

Respondent(s)

(With office report)

WITH

SLP(C) NO. 12545 of 2013
(With office report)

SLP(C) NO. 12548 of 2013
(With office report)

SLP(C) NOS. 35812-35815 of 2013
(With prayer for interim relief and office report)

Date: 10/02/2014 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s)

SLP 12544/2013,
SLP 12545/2013 &
SLP 12548/2013 Mr. Varinder Kumar Sharma, Adv.

SLP 35812-35815/2013 Dr. Rajeev Dhawan, Sr. Adv.
Mr. Suryanarayana Singh, Adv.
Ms. Pragati Neekhra, Adv.

For Respondent(s)

SLP 12544/2013 &
SLP 35812-35815/2013 Mr. Devendra Singh, Adv.

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

Dr. Rajeev Dhawan, learned senior counsel for the petitioners in S.L.P. (C) Nos. 35812-35815 of 2013 brought to our notice two orders of the High Court, one in C.W.P. No. 2693 of 2010, titled as "Ramesh Lal and others vs. State of H.P. and others" and other connected matter wherein the High Court directed disbursement of the entire arrears with interest @ 9% p.a. and the other in C.W.P. No. 5754 of 2010 - Jaya Devi and others vs. State of Himachal Pradesh

and others wherein the High Court directed that actual monetary benefits would be restricted to 36 months prior to the filing of the writ petition and continued thereafter. Apparently, there is e inconsistency in the two orders.

2. Issue notice.

3. Mr. Devendra Singh, advocate waives service for the respondent Nos. 1 and 24 in SLP (C) No. 12544 of 2013 and respondent Nos. 2 & 3 in SLP (C) No. 35812 of 2013.

4. Notice shall be issued only to the unrepresented respondents.

5. Counter-affidavit may be filed within six weeks.

6. Rejoinder-affidavit, if any, may be filed by the petitioners within four weeks therefrom.

7. Subject to the petitioners' notionally fixing the monetary benefits from the due date and paying actual monetary benefits limited to 36 months prior to the filing of the writ petition and continued thereafter, the operation of the impugned order shall remain stayed.

8. The payment in compliance of the above shall be made within three months from today.

|(Pardeep Kumar)
|AR-cum-PS

|(Renu Diwan)
|Court Master

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