

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 432 OF 2011
(@ SPECIAL LEAVE PETITION(C)NO.7119 OF 2006)

LAXMI BAI ... APPELLANT(S)

VERSUS

UNION OF INDIA & ANR. ... RESPONDENT(S)

O R D E R

Leave granted.

We have heard learned counsel for the appellant and learned Solicitor General of India.

This appeal emanates from the judgment and order dated 12.3.2004 of the Rajasthan High Court delivered in D.B.Civil Writ Petition No.2282 of 1998. By the impugned judgment, the High Court has reversed the judgment of the Central Administrative Tribunal, Jaipur.

Learned counsel for the appellant submits that the husband of the appellant-Chauthmal was regularized in service vide order dated 8.5.1972. Once he was regularized in the year 1972 then the question of his getting screened for regularization in the year 1977 did not arise. In this case the husband of the appellant admittedly died in 1975 but before that he was regularized. In this view of the matter, the impugned judgment of the High Court cannot be sustained. Consequently, the appellant would be entitled to all consequential benefits, including family pension.

: 2 :

We direct the respondents to ensure that the outstanding payment, including the family pension is granted to the appellant within three months.

This appeal is, accordingly, disposed of, leaving the parties to bear their own costs.

.....J.
(DALVEER BHANDARI)

.....J.
(DEEPAK VERMA)

NEW DELHI;
10TH JANUARY, 2011
ITEM NO.34

COURT NO.4

SECTION XV

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).7119/2006

(From the judgement and order dated 12/03/2004 in
2882/1998 of The HIGH COURT OF RAJASTHAN AT JAIPUR)

DBCWP No.

LAXMI BAI

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(With prayer for interim relief and office report)

Date: 10/01/2011 This Petition was called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr.P.V.Yogeswaran, Adv.
Mr. M.A.Chinnasamy,Adv.

For Respondent(s) Mr.Mohan Parasaran, ASG
Mr.M,.Khariti, Adv.
Mr.Gaurav Dhingra, Adv.
Mr.A.K.Sharma, Adv.
For Mr. D.S. Mahra,Adv.

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

Leave granted.

Heard learned counsel for the appellant and learned
Additional Solicitor General of India.

The appeal is disposed of, in terms of the signed
order, leaving the parties to bear their own costs.

(G.V.Ramana)
Court Master

(Neeru Bala Vij)
Court Master

(signed order is placed on the file)