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SLP(C)No. 6617 OF 2003  
ITEM No.38

Court No. 5

SECTION XIV  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.6617/2003

(From the judgement and order dated 08/08/2002 in CW 4283/97  
of The HIGH COURT OF DELHI AT N. DELHI)

UNION OF INDIA & ANR.

Petitioner (s)

VERSUS

INDER KUMAR NAYAR

Respondent (s)

Date : 09/05/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DORAISWAMY RAJU  
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s)Mr. Raju Ramachandran, ASG  
Ms. V Mohana, Adv. for  
Ms. Sushma Suri,Adv.

For Respondent (s)Caveator-In-Person

UPON hearing counsel the Court made the following

O R D E R

Heard the learned Additional Solicitor General appearing for the petitioners and respondent-in-person.

Though something could be said in favour of the petitioner on the submissions made to the interpretation to be placed on the rule under consideration, having regard to the fact that in this case the respondent has already retired and, if at all, the relief granted, will have relevance for fixing his terminal benefits. Therefore, we desist from going into the matter to adjudicate the issue as such. Instead we consider it appropriate to leave open the question for fresh consideration by the tribunal or the High Court in an appropriate case at an appropriate stage. With this observation, this special leave petition is disposed of finally at the SLP stage itself. The petitioner shall settle the retiral benefits of the respondent within a period of eight weeks from today.

(D.L.Chugh) (S. Malkani)

Court Master Asstt. Registrar