

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.5077/2001
(From the judgement and order dated 28/08/2000 in CMWP 16795/00
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

EXECUTIVE ENGINEER, ELEC. DISTRIBUTION DIV

Petitioner (s)

VERSUS

SURENDRA MISHRA

Respondent (s)

(With prayer for interim relief and office report)

Date : 17/09/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s)

Mr. Pradeep Misra, Adv.

For Respondent (s)

Mr. Prasenjit Keswani, Adv.
Mr. Joseph Pookkatt and Mr. Prashant
Kumar, Adv.

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

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Special leave granted.

The appeal is disposed of in terms of the signed
order.

(D.P. WALIA)
Court Master

(S.L. GOYAL)
Court Master

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6440 OF 2001@@
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[arising out of SLP(C) No. 5077 of 2001]

Executive Engineer,
Electricity Distribution Division ..Appellant(s)

vs.

Surendra Mishra ..Respondent(s)

O R D E R@@
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Special leave granted.

Counsel for the respondent states that if the award is upheld, the respondent will not claim arrears of wages and continuity in service. The respondent has now been working since April 2000.

In modification of the impugned order, we direct that the respondent should be regarded as a fresh appointee with effect from April 2000. He will not be entitled to any arrears of wages or any other benefit for the period prior to that. He will be paid as a fresh appointee on regular basis since April 2000.

This appeal is disposed of in the aforesaid terms.

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.....J.
(B.N. KIRPAL)

.....J.
(ASHOK BHAN)

New Delhi;
September 17, 2001.