

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6794 of 2014

ARUN KUMAR SHARMA

...APPELLANT

VERSUS

STATE OF BIHAR AND OTHERS

...RESPONDENT(S)

WITH

CIVIL APPEAL NO. 6776 OF 2014

TRANSFER PETITION (C) NO. 1308 OF 2011

ORDER

1. Both appeals arise out of judgment dated 16.11.2010 passed by the High Court of Judicature at Patna in Letters Patent Appeal No. 595 of 2007 whereby the order passed by the learned Single determining the issue of seniority of appellants and private respondents was confirmed.
2. During the course of hearing, it is informed that the appellants and private respondents have already attained the age of superannuation, but because of the consequential reversion orders of the Department passed in compliance of the order of the High Court, the appellants are facing the reduction in pay and such an order is having adverse effect. It is also informed that due to the order dated 4.7.2011 passed by this Court directing to maintain the *status-quo*, the appellants are getting the same pay.
3. In the given facts, by lapse of time, it is clear that the issue of seniority

is only academic and the affected persons, who are before us, have already attained the age of superannuation. Therefore, we are not inclined to entertain these appeals on merits. It is clarified that the interim order passed by this Court on 4.7.2011 is made absolute. As a consequence thereof, no recovery shall be effected against the appellants.

4. Accordingly, in the above terms, Civil Appeal Nos. 6794 of 2014 and 6776 of 2014 and Transfer Petition (C) No. 1308 of 2011 stand disposed of. Pending application(s), if any, shall stand disposed of.

.....J.
(J.K. MAHESHWARI)

.....J.
(K.V. VISWANATHAN)

NEW DELHI;
AUGUST 03, 2023

ITEM NO.105
XVI

COURT NO.9

SECTION

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

Civil Appeal No. 6794/2014

ARUN KUMAR SHARMA

Appellant(s)

VERSUS

STATE OF BIHAR & ORS.

Respondent(s)

WITH

C.A. No. 6776/2014 (XVI)

T.P.(C) No. 1308/2011 (XVI-A)

Date : 03-08-2023

These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Appellant(s)

Mr. Sumit Kumar, AOR

Mr. Akhilesh Kumar Pandey, AOR
Mrs. Shalini Chandra, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Ms. Shreya Manjari, Adv.
Ms. Shraya Manjari, Adv.

For Respondent(s)

Mr. Sanjay Jain, AOR

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Ms. Shreya Manjari, Adv.

Mr. A. N. Arora, AOR

Mr. Sumit Kumar, AOR
Mr. Rajesh Pathak, Adv.

Mr. Gopal Singh, AOR

Mr. Abhinav Mukerji, AOR
Ms. Pratishtha Vij, Adv.

Ms. Bihu Sharma, Adv.

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

Civil Appeal Nos. 6794 of 2014 and 6776 of 2014 and
T.P.(C) No. 1308/2011 stand disposed of in terms of the
signed order.

Pending application(s), if any, shall stand disposed
of.

(NIDHI AHUJA)
AR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER

[Signed order is placed on the file.]