

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5723 OF 2006

R.K. Upadhyay

Appellant(s)

Versus

All India Institute of Medical  
Sciences

Respondent(s)

O R D E R

With the passage of time, the controversy that had arisen before the High Court and has been dealt with, possibly would have deserved our advertence, but as the appellant has already been given the benefits, a promotion, and, thereafter, further promotion on the basis of the judgement rendered by the learned Single Judge, we would only direct the respondents not to withdraw the benefit that has been conferred upon the appellant in pursuance of the judgement rendered by the learned Single Judge. He shall reap all the benefits relating to promotion and also enjoy the benefit of pension, if applicable.

We have passed this order regard being had to the factum that the appellant may have retired or in the verge of retirement and further he has enjoyed the benefits for a considerable length of time.

The appeal is, accordingly, disposed of. There shall be no order as to costs.

.....J.  
(Dipak Misra)

.....J.  
(Adarsh Kumar Goel)

New Delhi;  
February 12, 2015.

ITEM NO.108

COURT NO.6

SECTION XIV

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.5723/2006

R.K. UPADHYAY

Appellant(s)

VERSUS

A.I.I.M.S.

Respondent(s)

Date : 12/02/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA  
HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Appellant(s)

Mr. Praveen Swarup, AOR

For Respondent(s)

Mr. Mukul Gupta, Sr. Adv.  
Ms. Suruchi Aggarwal, Adv.

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

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

(Chetan Kumar)  
Court Master

(H.S. Parasher)  
Court Master

(Signed order is placed on the file)