

ITEM NO.5

COURT NO.1

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

Petition(s) for Special Leave to Appeal (C) No(s). 34038/2012
(Arising out of impugned final judgment and order dated 31/05/2012
in CWP No. 3496/2011 passed by the High Court Of Himachal Pradesh
at Shimla)

SUNDER SINGH

Petitioner(s)

VERSUS

STATE OF H.P. & ORS.

Respondent(s)

(With appln.(s) for directions, interim relief and office report)

WITH SLP(C) No. 1866/2013
(With Office Report)

SLP(C) No. 5269/2013
(With Office Report)

SLP(C) No. 13674-13675/2013
(With appln.(s) for permission to file SLP and appln.(s)
impleadment and appln.(s) for impleadment and Office Report)

for

Date : 26/02/2015 These petitions were called on for hearing
today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE N.V. RAMANA

For Petitioner(s)

Mr. M. C. Dhingra, Adv.
Mr. Ashwin Kr. Gupta. Adv.
Mr. Piyush Kant Roy, Adv.

Mr. Balraj Dewan, Adv.

Signature Not Verified

Ms. Pragati Neekhara, Adv.

Digitally signed by
Ramana Venkata Ganti
Date: 2015.02.28
10:53:29 IST

Mr. Vikas Mahajan, Adv.
Mr. Vinod Sharma, Adv.

Reason:

Mr. Bhaskar Y. Kulkarni, Adv.

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For Respondent(s) Mr. P.P. Rao, Sr. Adv.
Mr. Suryanarayana Singh, AAG
Ms. Pragati Neekhara, Adv.
Mr. S. Chatterjee, Adv.

Ms. Binu Tamta, Adv.
Mr. Dhruv Tamta, Adv.
Mr. B. V. Balaram Das, Adv.

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

While arguing on merits of the present case, Shri M.C.Dhingra, learned counsel appearing for the petitioner, submits that O.M.No.68 of the Central Services (Pension) Rules, 1972 (for short 'the Pension Rules, 1972) is being followed by the Rural, Animal Health and the Education Departments of the State of Himachal Pradesh. In aid of his submission, he brought to the notice of this Court, the order passed by the Director of Rural Development and an affidavit filed by one of the responsible officers in the Education Department.

Shri P.P.Rao, learned senior counsel appearing for the respondent-State of Himachal Pradesh would submit that the aforesaid documents have been produced before this Court for the first time and, therefore, he had no occasion to make any submission insofar as those documents are concerned. The learned senior counsel submits that if time is given to him, he would be in a better position to clarify the stand of the State of Himachal Pradesh on this issue by filing an appropriate affidavit of a responsible officer of the State Government.

In our considered view, the request of the learned senior counsel Shri Rao appears to be reasonable and fair, and, therefore, requires to be granted. Accordingly, we grant him four weeks' time to file an appropriate affidavit.

Call the matters after four weeks.

(G.V.Ramana)
Court Master

(Vinod Kulvi)
Asstt.Registrar