

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

I.A.No.2 in CIVIL APPEAL NO. 1570 OF 2007

STATE OF TRIPURA & ANR.

Appellant (s)

VERSUS

SAMIR BHATTACHARJEE & ORS.

Respondent(s)

(for directions and with office report)

Date: 05/05/2008 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Appellant(s) Mr. Gopal Singh, Adv.
Ms. Ritu Raj Biswas, Adv.For Respondent(s) Mr. Rajiv Mehta, Adv.
Mr. Parthiv Goswami, Adv.UPON hearing counsel the Court made the following
ORDER

Having examined the I.A. preferred by the respondent-employee, we are satisfied that even if the State were to succeed in the pending Civil Appeal, the employee would be entitled to salary at the rate of Rs.19,858/- per month. Accordingly, we direct the State to pay the salary at the rate of Rs.19,858/- per month with effect from 1.1.1999.

We are informed that a small amount of Rs.25,000/- is

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payable by the respondent-employee to the State. It is made clear that subject to the result of the Civil Appeal, even if the State succeeds, the said amount can always be deducted from the gratuity payable to the employee.

Accordingly, the interim order dated 23rd March, 2007 stands modified. I.A.No.2 herein stands disposed of.

