

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).5738/2003

(From the judgement and order dated 09/01/2003 in RP No. 88389/2000 of the HIGH COURT OF JUDICATURE AT ALLAHABAD)

AJAY SHARMA
VERSUS

Petitioner(s)

STATE OF U.P. & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T. and c/delay in filing rejoinder affidavit and with prayer for interim relief)

Date: 21/01/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE V.S. SIRPURKAR

For Petitioner(s) Mr. Vishwajit Singh,Adv.

For Respondent(s) Mrs. Shobha Dixit, Sr.Adv.
Ms. Malik,Adv.
Mr. Manoj Kr. Dwivedi,Adv.
Mr. Dipanker Burman,Adv.
Mr. Gunnam Venkateswara Rao,Adv.

UPON hearing counsel the Court made the following
ORDER

Delay condoned.

Having heard Mr. Vishwajit Singh, learned counsel for the petitioner and Mrs. Shobha Dixit, learned senior counsel appearing on behalf of the respondents, we are of the opinion that although ordinarily we would have remitted the matter back to the High Court but keeping in view the fact that the original employee has expired in the year 1999, we in exercise of our jurisdiction under Article 142 of the Constitution of India, direct that any amount paid to the deceased and/or to his heirs and legal representatives, would not be recovered.

The special leave petition is disposed of with the aforementioned direction.

(A.S. BISHT) (PUSHAP LATA BHARDWAJ)
COURT MASTER COURT MASTER