

"ITEM NO.102

COURT NO.9

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 1117 OF 2007

UNION OF INDIA AND ORS

Appellant (s)

VERSUS

RENUKA BALA MAITY

Respondent(s)

(With office report)

WITH SLP(C) NO. 12972 of 2006

(With prayer for interim relief and office report)

Date: 10/12/2009

These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

HON'BLE MR. JUSTICE DEEPAK VERMA

For Appellant(s)

Mr. Tufail A. Khan, Adv.

Mr. A.K. Sharma, Adv.

Mr. B. Krishna Prasad, Adv. (NP)

Mr. D.S. Mahra, Adv.

For Respondent(s)

Mr. Brij Bhusan, Adv.

Mr. P. Ramesh Kumar, Adv.

Ms. Aparna Bhat, Adv.

UPON hearing counsel the Court made the following

O R D E R

The Civil Appeal as well as the Special Leave
Petition are dismissed in terms of the signed order.

(Sukhbir Paul Kaur)
Court Master

(Vijay Dhawan)
Court Master

(Signed Order is placed on the file)
THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1117 OF 2007

UNION OF INDIA AND ORS.

Appellant(s)

Versus

RENUKA BALA MAITY

Respondent(s)

W I T H

SPECIAL LEAVE PETITION(C) NO.12972 OF 2006

O R D E R

CIVIL APPEAL NO. 1117 OF 2007

This appeal by special leave is directed

against the judgment and order dated 29.8.2005 passed by the High Court of Calcutta in W.P.C.T. No.557 of 2005.

In the facts and circumstances of this case, we are not inclined to interfere with the impugned interlocutory order in exercise of our jurisdiction under Article 136 of the Constitution of India. The High Court having admitted the writ petition filed by the Union of India directed payment of family pension month by month to the respondent pending the appeal. Admittedly, the writ petition is pending for consideration before the High Court. The interest of justice would be met if we request the High Court to hear and dispose of the writ petition expeditiously on its own merits.

This appeal is accordingly, dismissed.

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SPECIAL LEAVE PETITION(C) NO.12972 OF 2006

This Special Leave Petition has been filed against the judgment and order dated 5.10.2005 passed by the High Court of Calcutta in W.P.C.T. No.670 of 2005.

In the facts and circumstances of this case, we are not inclined to interfere with the impugned interlocutory order in exercise of our jurisdiction under Article 136 of the Constitution of India. The High Court having admitted the writ petition filed by the Union of India directed payment of family pension month by month to the respondent pending the appeal. Admittedly, the writ petition is pending for consideration before the High Court. The interest of justice would be met if we request the High Court to hear and dispose of the writ petition expeditiously on its own merits.

This Special Leave Petition is accordingly,
dismissed.

.....J.
(B. SUDERSHAN REDDY)

.....J.
(DEEPAK VERMA)

New Delhi,
December 10, 2009