

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 6612-6613 OF 2005

STATE OF U.P. & ORS.

.....APPELLANTS

VERSUS

MUSHEER AHMAD & ANR.

.....RESPONDENTS

O R D E R

On hearing Mr. Ravi Prakash Mehrotra, learned counsel for the appellants, and upon perusal of the Government Notification dated November 23, 1995, Office Memo dated January 10, 1996, another Office Memo dated June 05, 1997, letter of option given by the respondent No.1 dated January 11, 1996 and the fact that the respondent No.1 was posted in the Mini-Secretariat at Nainital, we are satisfied that the view taken by the Allahabad High Court, Bench at Lucknow, in the impugned order does not suffer from any error of law warranting interference by us in exercise of our jurisdiction under Article 136 of the Constitution of India.

The Civil Appeals have no merit and are dismissed with no order as to costs.

At this stage, Dr. Nafis Ahmed Siddiquie, learned counsel for respondent No.1, submits that payment pursuant to the impugned order has not been made so far as the

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interim order dated July 09, 2003, which was made absolute on October 28, 2005, was operative during the pendency of the appeal. We, accordingly, direct the appellants to pay the amount due to respondent No.1, as per the order dated April 23, 2002 passed by the High Court, within four weeks from today.

(R.M. LODHA)

.....J  
(SURINDER SINGH NIJJAR)

NEW DELHI,  
APRIL 19, 2011.  
ITEM NO.102

COURT NO.14

SECTION XI

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). 6612-6613 OF 2005

STATE OF U.P. AND ORS.

Appellant (s)

VERSUS

MUSHEER AHMAD AND ANR.

Respondent(s)

(With appln(s) for exemption from filing O.T.)

Date: 19/04/2011      These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA  
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Appellant(s)

Mr. Ravi Prakash Mehrotra, Adv.  
Mr. Mukesh Verma, Adv.

For Respondent(s)

Dr. Nafis A. Siddiqui, Adv.  
Mr. Jatinder Kumar Bhatia, Adv. (NP)

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

The Civil Appeals are dismissed with no order as to  
costs.

(N.S.K. Kamesh)  
Court Master

(S.S.R. Krishna)  
Court Master

(signed order is placed on the file)