

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 (Civil) No(s).12879/2010

(From the judgement and order dated 08/02/2010 in WP No. 111/2010
of The HIGH COURT OF JUDICATURE AT ALLAHABAD, BENCH AT LUCKNOW)

STATE OF U.P.& ANR.

Petitioner(s)

VERSUS

B.B.S.RATHORE

Respondent(s)

(With appln(s) for stay)

Date: 28/04/2010 This Petition was called on for mentioning today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN
 HON'BLE MR. JUSTICE R.M. LODHA

For Petitioner(s) Mr. Shail Kumar Dwivedi, Addl.AG
 Ms. Niranjana Singh, Adv.
 Ms. Vandana Mishra, Adv.
 Mr. Ashutosh Sharma, Adv.

For Respondent(s)

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

We find no ground to entertain the prayer for
modification.

The State may pay the amount as per the order of
the Tribunal making it clear that the payment will be
subject to the final decision and without prejudice and
that the respondent will not be able to claim equities in
regard to refund, if ultimately he does not succeed in
the matter.

.....2.

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ITEM NO.MM-4A

COURT NO.4

DATED 28/4/2010

....contd.

Learned counsel for the petitioner stated that in
pursuance of direction (i), the petitioner has already
promoted the respondent to the post of Additional
Director on 29.6.2007 on officiating basis. That will
satisfy the direction pending consideration of the
Special Leave Petition. The petitioners may also bring
the observation in the impugned order of the High Court
to the notice of the Tribunal.

(Ravi P. Verma)
Court Master

(M.S. Negi)
Court Master