

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

RECORD OF PROCEEDINGS

IA 2 & 3 in CIVIL APPEAL NO. 6383 OF 2003

SANKAR DEB ACHARYA & ORS.

Appellant (s)

VERSUS

BISWANATH CHAKRABORTY & ORS.

Respondent(s)

(for directions and modification of court's order dt.7.4.2003
and office report)

WITH IA no.2 in CA No.6384/2003

(For directions and office report)

Date: 13/07/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Appellant(s)

Mr. Raju Ramchandran, Sr. Adv.

Mrs. Anindita Gupta, Adv.

Mr. H.K. Puri, Adv.

Mr. Goodwill Indeevar, Adv.

For Respondent(s)

Mr. Altaf Ahmed, Sr. Adv.

Mr. Tapas Ray, Sr. Adv.

Mr. Avijit Bhattacharjee, Adv.

Mr. S. Kundu, Adv.

Mr. Bhaskar P. Gupta, Sr. Adv.

Mr. Rana Mukherjee, Adv.

Mr. J.Kar, Adv.

Mr. Goodwill Indeevar ,Adv

Mr. H.K. Puri, Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A.2 of 2005:

the applicants, Heard Mr. Altaf Ahmed, learned Senior Counsel for
respondents in the main Appeal, and Mr. Bhaskar P. Gupta, le
arned Senior
Counsel for the contesting respondent-State. Arguments were hear
d from both
sides.

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As an interim measure, the learned senior counsel for the resp
ondent
has agreed to pay the retiral benefits to the petitioners in this I.A. in Scale 17 of
1981, ROPA, which is now stated to be Scale 16. In view of the submission now
made, we allow this I.A. to the above extent as an interim measure. Th
e retiral
benefits, as indicated above, shall be made within three months from today subject
to the completion of all the required formalities. This order is without prejudice to
the rights and contentions of both the parties in the main appeal.

Post the appeals, by consent of all parties, on 19th September, 2006.

I.A. no.3 of 2005:

This Court while issuing notice in S.L.P.(C)No.5274/2003 ordered status quo with regard to the service condition of the petitioners, now appellants in C.A. No.6383/2003. Now as the date has been fixed to hear the main appeals, we don't propose to modify the said order dated 7.4.2003 at this stage. Post the appeals, as agreed, on 19th September, 2006.

(A.D. Sharma)

Court Master

(Phoolan Wati Arora)

Court Master