

&IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5410 OF 2016

(Arising out of S.L.P.(Civil) No.15309 of 2013)

B B GUPTA & ANR. ... APPELLANTS

VS.

STATE OF HARYANA & ORS. ... RESPONDENTS

O R D E R

Leave granted.

On hearing the parties and going through the averments made in the rejoinder affidavit, we find that both the petitioners have superannuated after working on the promoted post, pursuant to interim order of this Court.

In the peculiar facts of the case, we are of the view that the petitioners should not be deprived of the benefit of having worked on the promoted post and having superannuated therefrom on the basis of this court's interim order. We, therefore, declare the impugned order of the High Court inoperative in respect of the petitioners. So far as the other directions of the High Court in respect of the respondents before the High Court are concerned, the

1

same shall be carried out in accordance with law. It is also made clear that question of law arising in this case is left open for decision in an appropriate matter.

The appeal stands disposed of accordingly.

.....J.

[SHIVA KIRTI SINGH]

.....J.

[R.BANUMATHI]

New Delhi;

June 29, 2016.

2

ITEM NO.41

COURT NO.14

SECTION IVB

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 15309/2013  
(Arising out of impugned final judgment and order dated 23/01/2013  
in LPA No. 977/2011 passed by the High Court Of Punjab & Haryana At  
Chandigarh)

B B GUPTA & ANR.

Petitioner(s)

VERSUS

STATE OF HARYANA & ORS.

Respondent(s)

(With appln. (s) for allowing new pleas and additional documents  
and interim relief and office report)

(For final disposal)

Date : 29/06/2016 This petition was called on for hearing today.

CORAM :

HON&#39;BLE MR. JUSTICE SHIVA KIRTI SINGH

HON&#39;BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. Pratham Kant,Adv.

Mr. Sidharth Jain,Adv.

Mr. Ugra Shankar Prasad,Adv.

For Respondent(s) Mr. Birendra Kumar Chaudhry,Adv.

Dr. Monika Gusain,Adv.

Mr. John Mathew,Adv.

Mr. P.B.Suresh,Adv.

Mr. Vipin Nair,Adv.

Mr. Tishampati Sen,Adv.

For M/s. Temple Law Firm,Advs.

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

The appeal is disposed of in terms of the signed order.

(Anita Malhotra)  
Court Master

(Madhu Narula)  
Court Master

(Signed order is placed on the file.)