

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 (Civil) No(s).10452/2004

(From the judgement and order dated 19/12/2003 in LPA No. 938/2002

of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

F.C.I. & ORS.

Petitioner(s)

VERSUS

SONE LAL

Respondent(s)

(With prayer for interim relief and office report)

WITH SLP(C) NO. 18505 of 2004

(With prayer for interim relief)

SLP(C) NO. 18575 of 2004

(With appln(s) for permission to place addl. documents on record)

(With prayer for interim relief)

Date: 07/11/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL

HON'BLE DR. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE DALVEER BHANDARI

For Petitioner(s) Mr.A.Sharan,ASG

Ms. Indra Sawhney,Adv.

For Respondent(s) Mr.Raju Ramachandran,Sr.Adv.

Mr.Sudarshan Goel,Adv,.

Mr.C.M.Chopra,Adv.

Mr. P.N. Puri,Adv.

Mr. S.P. Sharma,Adv.

Mr.Ashwani Bhardwaj,Adv.

Mr.Asbhishek Atrey,Adv.

Mr.Shishir Singh,Adv.

Mr.D.K. Thakur,Adv.

Mr.S.Prem Chandra,Adv.

Mr.R.K.Singh,Adv.

Mr. Debasis Misra,Adv.

UPON hearing counsel the Court made the following

O R D E R

SLP(C)No.18575/2004:

The original order of compulsory retirement was set aside by th

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High Court. Being aggrieved, the Food Corporation of India had

:2:

preferred this appeal by way of special leave petition. It is, however, conceded that the original order of compulsory retirement has itself in the meanwhile been modified by an order dated 24th June, 2004 passed by the Managing Director of the Food Corporation of India by which the order of dismissal has been modified to that of "Reduction to the lower time scale of pay i.e. from the post of AC.I(D) to AG.II(D) till his superannuation with further stipulation that his pay will be fixed at the minimum of the scale of AG.II(D) and he will however draw annual increments if otherwise not withheld. The intervening period from the date of "dismissal"; i.e. 31.3.2001 till the date of rejoining FCI by the respondent will be regularized by grant of leave of kind due."

The learned counsel for the respondent agrees that the order will govern his case. The special leave petition is disposed of by modifying the order of the High Court so as to uphold the order of the Managing Director dated 24.6.2004.

(Usha Bhardwaj)

P.S. To Registrar

(Madhu Saxena)

Court Master