

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).6311/2006

(From the judgement and order dated 15/12/2005 in WP No. 5158/2002 of The
HIGH COURT OF DELHI AT N. DELHI)

S.P. MANIK

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 31/01/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s)

Mr. Kailash Vasdev, Sr. Adv.

Mr. Sanjay K. Shandilya, Adv.

Mr. Prateek Kumar, Adv.

Mrs V.D. Khanna, Adv.

For Respondent(s)

Mr. T.S. Doabia, Sr. Adv.

Mr. D.S. Mahra, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

Appeal is allowed in part in terms of the signed order. No costs.

(Meenu Sethi)
Court Master

(Pushap Lata Bhardwaj)
Court Master

Signed order is placed on the file

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 394 OF 2007
(Arising out of SLP(C) No.6311/2006)

Dr. S.P.Manik

...Appellant

Versus

Union of India & Ors.

...Respondents

ORDER

Leave granted.

Having heard learned counsel for the parties

and in view of the fact that the Ministry of Railways itself had

in obedience to the orders dated 10.9.2001 and 8.1.2002

passed by the Central Administrative Tribunal, Principal

Bench, New Delhi directed as under:

"..No. ERB-I/2002/19/2(.) (1) Ministry of
Railways, in pursuance to the orders dated 10.9.2001 and
8.1.2002 passed by Hon'ble Central Administrative Tribunal,
Principal bench, New Delhi in M.A. No.2580/2001,CP
No.208/99 and R.A. No.387/2001 in OA No.254/93, and in

accordance with the recommendations of the departmental committee(DPC),have decided that Dr. S.P. Manik, at present working as Additional Executive Director (M&C),RDSO is promoted retrospectively with all consequential benefits to the following grades with effect from the dates as indicated:-

(1) Joint Director (M&C),RDSO with effect from 10.11.1982.....";

we are of the opinion that the benefit thereof should be given to the appellant. Such benefit, we may direct, shall be given not only in terms of the said order but also for the purpose of calculating his retiral benefits.

The order passed by the High Court is modified to the aforementioned extent.

The appeal is allowed in part. No costs.

.....J.

[S.B. SINHA]

.....

...J.

[MARKANDEY

KATJU]

New Delhi,

JANUARY 31, 2007