

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).17400/2004

(From the judgement and order dated 19/11/2003 in WA No. 1988/2003 of The HIGH COURT OF A.P AT HYDERABAD)

COMMNR. OF COLLEGIATE EDUCATION

Petitioner(s)

VERSUS

M. MADHUSUDHAN REDDY & ANR.

Respondent(s)

(With prayer for interim relief and office report)

(For final disposal)

Date: 08/04/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

HON'BLE MR. JUSTICE A.K.MATHUR

For Petitioner(s)

Mrs.D. Bharathi Reddy,Adv.

For Respondent(s)

Mr. P.S. Narasimha, Adv.

Mr.Ananga Bhattacharyya, Adv. for

M/S. P.S.N. & Co.

Mr. A. Raghunath ,Adv

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

Leave granted.

Appeal is dismissed subject to the observation/direction made in the signed order.

waj)

(Meenu Sethi)

(Pushap Lata Bhard

Court Master

Court Master

Signed order is placed on the file

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2497/ 2005
(Arising out of SLP(C) No. 17400/2004)

Commissioner of Collegiate Education

... Appellant

VERSUS

M. Madhusudhan Reddy & Anr.

... Respondents

O R D E R

Delay condoned.

Leave granted.

We see no reason to interfere with the impugned order especially having

regard to the fact that the appellant has not come forward even now with specific details

which the appellant omitted to place before the High Court. These details which ought

to have been furnished relate to the date on which and the order by which the

respondent-M.Madhusudhan Reddy was fixed against the unaided post and whether

full salary admissible to aided post was being drawn by him during the relevant period.

The pension of the respondent shall therefore be re-fixed on the footing that

the service rendered by him between 1972 and 31.3.1980 shall be deemed to be against an aided post. The process of re-fixation shall be completed and the

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pensionary benefits should be released to the respondent within a period of four

months from today. It is made clear that the respondent shall not be entitled to any

arrears of salary in view of the stand taken by the respondent that he was drawing full salary admissible to an aided post during the crucial period.

The appeal is dismissed subject to the above observation/direction.

.....J.

(P.VENKATARAMA REDDI)

.....J.

(A.K. MATHUR)

New Delhi,

April 8, 2005.