

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.2851 OF 2014  
(Arising out of SLP(C)No.15453 OF 2013)

UNION OF INDIA .....APPELLANT

VERSUS

SHRI. R. SUNDARARAJAN .....RESPONDENT

O R D E R

Leave granted.

The limited question that has been pressed by learned counsel, during the course of hearing is, the quantum of interest payable to the respondent, on account of non-payment of the correct quantum of commuted pension. It is not a matter of dispute between the rival parties, that prior to commutation, the respondent was adequately paid his pensionary benefits. It is also not a matter of dispute, that commutation of pension took place on 13.04.2004/05.08.2005.

The limited question therefore is, in respect of the payment of the rightful quantum of commuted pension as also the interest thereon after 13.04.2004/05.08.2005. While disposing of the instant appeal, we direct the appellant herein to re-determine the exact value of commuted pension as also the interest payable to the respondent, at the rates depicted by the High Court.

Needless to mention that the aforesaid direction would, be implemented with effect from 13.04.2004/05.08.2005. While calculating the amount of commuted pension payable to the respondent, the appellant shall consider the factual position depicted in the counter affidavit filed by the respondent, especially Annexure B (page 106 of the instant special leave petition).

The appeal is accordingly disposed of. The impugned order passed by the High Court, stands modified to the aforesaid extent.

.....J.  
(JAGDISH SINGH KHEHAR)

.....J.  
(M.Y. EQBAL)

NEW DELHI;  
FEBRUARY 24, 2014.

ITEM NO.50

COURT NO.13

SECTION XII

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).15453/2013

(From the judgement and order dated 07/03/2012 in WP No.2301/2011 of The  
HIGH COURT OF MADRAS)

UNION OF INDIA

Petitioner(s)

VERSUS

SHRI. R. SUNDARARAJAN

Respondent(s)

(With prayer for interim relief and office report)

Date: 24/02/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR  
HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s)

Mr.Rakesh Khanna, ASG  
Mr.Alok Mishra, Adv.  
Mr.S.S.Rawat, Adv.  
Mr.Anirudh Tanwar, Adv.  
Mr. D.S. Mahra, AOR

For Respondent(s)

Mr.R.Nedumaran, Adv.  
Mr. Vijay Kumar, Adv.

UPON hearing counsel the Court made the following  
O R D E R

Leave granted.

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

(Satish K.Yadav)  
Court Master

(Phoolan Wati Arora)  
Assistant Registrar

( Signed order is placed on the file )