

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).13050/2008

(From the judgement and order dated 21/09/2007 in WP No. 1322/2000
of the HIGH COURT OF JUDICATURE AT ALLAHABAD, LUCKNOW BENCH)

STATE OF U.P.& ANR.

Petitioner(s)

VERSUS

PRAHLAD PURI

Respondent(s)

(With appln(s) for c/delay in filing SLP and with prayer
for interim relief and office report)
(FOR FINAL DISPOSAL)

Date: 28/01/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)

Mr. Pramod Swarup,Adv.
Ms. Shalini Kumari,Adv.
Mr. Gunnam Venkateswara Rao,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

Delay condoned.

Mr. Pramod Swarup, learned counsel appearing on behalf of
the petitioners states that notice has been served upon the
respondent.

Despite service of notice, nobody appears on behalf of the
respondent.

Leave granted.

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

(A.S. BISHT)

(USHA SHARMA)

COURT MASTER

COURT MASTER

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 302 OF 2009
[Arising out of SLP(C) No. 13050/2008]

STATE OF U.P. AND ANR.

:VERSUS:

... APPELLANT(S)

PRAHLAD PURI

... RESPONDENT(S)

ORDER

Mr. Pramod Swarup, learned counsel appearing on behalf of the
petitioners states that notice has been served upon the respondent.

Despite service of notice, nobody appears on behalf of the
respondent.

Leave granted.

Having heard Mr. Swarup, learned counsel appearing on behalf of the appellants, we direct that the impugned judgment and order passed by the High Court should be modified to the extent that the respondent should be allowed to claim his seniority in the post of Naib Tehsildar, only from the date when he was promoted to that post on regular basis, i.e. from 30th September, 2002 and not from any date prior thereto.

However, as it is stated at the Bar that the respondent has already retired and all the retiral benefits have already been given to him, refund thereof may not be insisted upon.

The appeal is disposed of with the aforementioned observation and direction.

.....J
(S.B. SINHA)

.....J
(ASOK KUMAR GANGULY)

NEW DELHI,
JANUARY 28, 2009.