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SLP(C)No. 12644 OF 2001
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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal No. 4 of 2002@@
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(Arising out of SLP(C) No. 12644 of 2001)

State of U.P. & Anr. ...Appellant (s)

Versus

Sada Nand Sharma & Ors. ...Respondent(s)

O R D E R~@@
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Leave granted.

This petition under Article 136 of the Constitution of India is against an interim order of the Allahabad High Court while the writ petition is still pending before the High Court. On looking at the prayer in the writ petition and the impugned interim order dated 17.3.2001 passed by the High Court, we are of the considered opinion that the High Court committed error in granting the interim relief which was one of the main reliefs sought for in the writ petition filed and which is pending consideration before the Allahabad High Court.

Though, ordinarily this Court does not interfere with an interim order, but having regard to the facts and circumstances of the present case, we think it appropriate to set aside the impugned order of the Allahabad High Court directing grant of annual increment to the employees, pending

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final disposal of the writ petition and we accordingly so direct. This appeal stands allowed accordingly. The High Court is requested to dispose of the writ petition (being W.P.No. 43118/2000) at an early date.

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(G.B. PATTANAİK)@@
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New Delhi;

January 07, 2002

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(R.P. SETHI)@@
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ITEM No.51

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.12644/2001

(From the judgement and order dated 17/03/2001 in CMWP 43118/2000
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

STATE OF U.P. & ANR.

Petitioner (s)

VERSUS

SADA NAND SHARMA & ORS.

Respondent (s)

(With prayer for interim relief)

Date : 07/01/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. Y. Prasad, Sr. Adv.
Mr. R.C. Verma, Adv.
Mr. Mukesh Verma, Ms. Neeta Sinha, Adv.

For Respondent (s) Mr. R.G. Padi, Sr. Adv.
Mr. Kavın Gulati, Adv.
Mr. Harish J. Jhaveri, Adv.

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

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Leave granted.
The appeal is allowed in terms of the signed order.

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(J.S. Rawat)
Court Master

(Suneet Bala Sharma)
Court Master

(Signed order is placed on the file)