

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 2403 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO. 5106 OF 2017]
[@CC NO. 2020 OF 2016]

STATE OF ORISSA AND ANR.

Petitioner(s)

VERSUS

SURENDRA KUMAR DAS AND ANR.

Respondent(s)

WITH

CIVIL APPEAL NO. 2406 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5108 OF 2017]
[@CC NO.2127 OF 2016]

CIVIL APPEAL NO. 2407 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5109 OF 2017]
[@CC NO.2353 OF 2016]

CIVIL APPEAL NO. 2408 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5112 OF 2017]
[@CC NO.4608 OF 2016]

CIVIL APPEAL NO. 2410 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5117 OF 2017]
[@CC NO.5121 OF 2016]

CIVIL APPEAL NO. 2411 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5120 OF 2017]
[@CC NO.5666 OF 2016]

CIVIL APPEAL NO.2413 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5122 OF 2017]
[@CC NO.4602 OF 2016]

CIVIL APPEAL NO.2414 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5124 OF 2017]
[@CC NO.6061 OF 2016]

CIVIL APPEAL NO.2415 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5125 OF 2017]
[@CC NO.6088 OF 2016]

CIVIL APPEAL NO. 2416 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5126 OF 2017]
[@CC NO.6123 OF 2016]

CIVIL APPEAL NO.2417 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5127 OF 2017]
[@CC NO.6373 OF 2016]

CIVIL APPEAL NO. 2418 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5130 OF 2017]
[@CC NO.5295 OF 2016]

CIVIL APPEAL NO.2421 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5134 OF 2017]
 [@CC NO.20341 OF 2016]
CIVIL APPEAL NO.2423 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO. 5135 OF 2017]
 [@CC NO.5900 OF 2016]
CIVIL APPEAL NO.2424 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5136 OF 2017]
 [@CC NO.7937 OF 2016]
CIVIL APPEAL NO. 2427 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5140 OF 2017]
 [@CC NO.11290 OF 2016]
CIVIL APPEAL NO.2428 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5146 OF 2017]
 [@CC NO.11441 OF 2016]
CIVIL APPEAL NO.2431 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5151 OF 2017]
 [@CC NO.11584 OF 2016]
CIVIL APPEAL NO.2432 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5153 OF 2017]
 [@CC NO.11205 OF 2016]
CIVIL APPEAL NO.2435 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5156 OF 2017]
 [@CC NO.6331 OF 2016]
CIVIL APPEAL NO.2436 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5158 OF 2017]
 [@CC NO.7936 OF 2016]
CIVIL APPEAL NO. 2437 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5159 OF 2017]
 [@CC NO.20155 OF 2016]
CIVIL APPEAL NOS. 2438-2439 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NOS. 5160-5161 OF 2017]
 [@CC NOS.13960-13961 OF 2016]
CIVIL APPEAL NOS.2440-2441 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NOS.5162-5163 OF 2017]
 [@CC NO.15467-15468 OF 2016]
CIVIL APPEAL NO.2442 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5165 OF 2017]
 [@CC NO.16905 OF 2016]
CIVIL APPEAL NO. 2443 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5166 OF 2017]
 [@CC NO.16926 OF 2016]
CIVIL APPEAL NO.2446 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO. 26716 OF 2016]
CIVIL APPEAL NO. 2447 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO. 26717 OF 2016
CIVIL APPEAL NO.2448 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5175 OF 2017]
 [@CC NO.16983 OF 2016]

CIVIL APPEAL NO.2412 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5121 OF 2017]
[@CC NO.16999 OF 2016]
CIVIL APPEAL NO.2422 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5131 OF 2017]
[@CC NO.17006 OF 2016]
CIVIL APPEAL NO.2426 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5138 OF 2017]
[@CC NO. 17082 OF 2016]
CIVIL APPEAL NO.2429 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5139 OF 2017]
[@CC NO. 17101 OF 2016]
CIVIL APPEAL NO.2433 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5154 OF 2017]
[@CC NO. 17106 OF 2016]
CIVIL APPEAL NO.2434 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5155 OF 2017]
[@CC NO. 17112 OF 2016]
CIVIL APPEAL NO.2453 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5178 OF 2017]
[@CC NO. 17113 OF 2016]
CIVIL APPEAL NO.2454 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5179 OF 2017]
[@CC NO. 17116 OF 2016]
CIVIL APPEAL NO.2455 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5180 OF 2017]
[@CC NO. 11519 OF 2016]
CIVIL APPEAL NO.2456 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5185 OF 2017]
[@CC NO. 5448 OF 2016]
CIVIL APPEAL NO. 2462 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5254 OF 2017]
[@CC NO. 17270 OF 2016]
CIVIL APPEAL NO.2463 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5255 OF 2017]
[@CC NO. 17295 OF 2016]
CIVIL APPEAL NO.2466 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5256 OF 2017]
[@CC NO. 17294 OF 2016]
CIVIL APPEAL NO.2467 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5267 OF 2017]
[@CC NO. 17293 OF 2016]
CIVIL APPEAL NO. 2468 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5268 OF 2017]
[@CC NO. 17301 OF 2016]
CIVIL APPEAL NO.2469 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO. 5270 OF 2017]
[@CC NO. 17274 OF 2016]
CIVIL APPEAL NO. 2470 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5271 OF 2017]
[@CC NO. 17335 OF 2016]

CIVIL APPEAL NO. 2471 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO. 5273 OF 2017]
 [@CC NO. 17339 OF 2016]
CIVIL APPEAL NO. 2474 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO. 5274 OF 2017]
 [@CC NO. 16904 OF 2016]

CIVIL APPEAL NO.2475 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5275 OF 2017]
 [@CC NO. 17910 OF 2016]
CIVIL APPEAL NO.2472 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.26661 OF 2016]

CIVIL APPEAL NO.2476 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5276 OF 2017]
 [@CC NO. 18132 OF 2016]
CIVIL APPEAL NO. 2473 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5284 OF 2017]
 [@CC NO. 18590 OF 2016]
CIVIL APPEAL NOS.2477-78 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NOS. 5285-86 OF 2017]
 [@CC NOS.18382 - 18383 OF 2016]
CIVIL APPEAL NOS.2479-80 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NOS. 5287-88 OF 2017]
 [@CC NOS.18504 - 18505 OF 2016]
CIVIL APPEAL NO. 2483 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO. 27917 OF 2016]
CIVIL APPEAL NOS. 2484-85 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NOS.5290-91 OF 2017]
 [@CC NOS. 20675-20676 OF 2016]
CIVIL APPEAL NO.2486 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO. 5293 OF 2017]
 [@CC NO. 22454 OF 2016]
CIVIL APPEAL NO.2488 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO. 5295 OF 2017]
 [@CC NO.22963 OF 2016]
CIVIL APPEAL NO.2491 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5298 OF 2017]
 [@CC NO. 24339 OF 2016]
CIVIL APPEAL NO.2493 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5301 OF 2017]
 [@CC NO. 17133 OF 2016]
CIVIL APPEAL NOS.2495-96 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NOS.5307-08 OF 2017]
 [@CC NOS.21929-21930 OF 2016]

CIVIL APPEAL NOS.2497-98 OF 2017
 [@ SPECIAL LEAVE PETITION(C)NO.5311-12 OF 2017]
 [@CC NOS. 23433-23434 OF 2016]

CIVIL APPEAL NO.2499 OF 2017
[@ SPECIAL LEAVE PETITION(C)NO.5314 OF 2017]
[@CC NO.24886 OF 2016]

O R D E R

Heard the learned counsel for the parties.

1. Delay condoned.
2. Leave granted.
3. Application for Impleadment allowed.
4. Ultimately, an agreement has been arrived at. We record our appreciation for that.
5. These appeals are disposed of accordingly, in terms of the following agreed order.
6. It is ordered that in the case of concerned respondents as well as impleaded employees, the date of approval of grant-in-aid will be pre-poned/advanced by three years.
7. Thus, the State would be liable to make the payment of grant-in-aid to each of such employee for additional three years preceding the date of approval of the concerned employee for the purpose of grant-in-aid, that is to say, e.g., the respondent in SLP (C).....CC No.11584 of 2016, namely, Nirakar Swain was given benefit of grant-in-aid w.e.f. 7th January, 2009, that date will be preceded by three years to 7th January, 2006. Similar treatment will be meted-out to each of the employees by preponing the date by three years.
8. In case, the State Government has already complied with

the orders and has released it from any earlier date before three years, no recovery shall be made from employee.

9. This Order will not affect the other pending matters as it is passed on consensus and they will be decided on their own merits.

10. All the appeals are disposed of accordingly.

.....J.
(ARUN MISHRA)

.....J.
(AMITAVA ROY)

New Delhi;
February 6, 2017.

ITEM NO.54

COURT NO.10

SECTION XIA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C).....CC No(s).
2020/2016

(Arising out of impugned final judgment and order dated
16/04/2015 in MC No. 1146/2014 16/04/2015 in FAO No. 697/2014
passed by the High Court of Orissa at Cuttack)

STATE OF ORISSA AND ANR.

Petitioner(s)

VERSUS

SURENDRA KUMAR DAS AND ANR.

Respondent(s)

(With appln. (s) for c/delay in filing SLP and impleadment and
office report)

WITH

SLP(C)...CC No. 2127/2016

(With appln. (s) for c/delay in filing SLP and appln. (s) for
c/delay in refiling SLP and Office Report)

SLP (C)...CC No. 2353/2016

(With appln. (s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 4608/2016

(With appln. (s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 5121/2016

(With appln. (s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 5666/2016

(With appln. (s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 4602/2016

(With appln. (s) for c/delay in filing SLP and Office Report)

SLP (C)...CC No. 6061/2016

(With appln. (s) for c/delay in filing SLP and Office Report)

SLP (C)...CC No. 6088/2016

(With appln. (s) for c/delay in filing SLP and Office Report)

SLP (C)...CC No. 6123/2016

(With appln. (s) for c/delay in filing SLP and Office Report)

SLP (C)...CC No. 6373/2016

(With appln. (s) for c/delay in filing SLP and Office Report)

SLP (C)...CC No. 5295/2016
(With appln.(s) for c/delay in filing SLP and Office Report)

SLP (C)...CC No. 20341/2015
(With appln.(s) for c/delay in filing SLP and appln.(s) for
c/delay in refiling SLP and Office Report)

SLP(C)...CC No. 5900/2016
(With appln.(s) for c/delay in filing SLP and Office Report)

SLP (C)...CC No. 7937/2016
(With appln.(s) for c/delay in filing SLP and appln.(s) for
c/delay in refiling SLP and Office Report)

SLP(C)...CC No. 11290/2016
(With appln.(s) for c/delay in filing SLP and Office Report)

SLP (C)...CC No. 11441/2016
(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 11584/2016
(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 11205/2016
(With (With appln.(s) for c/delay in refiling SLP and appln.(s)
for c/delay in filing SLP and Office Report)

SLP (C)...CC No. 6331/2016
(With appln.(s) for c/delay in filing SLP and Office Report)

SLP (C)...CC No. 7936/2016
(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 20155/2015
(With appln.(s) for c/delay in refiling SLP and appln.(s) for
c/delay in filing SLP and Office Report)

SLP(C)...CC No. 13960-13961/2016
(With appln.(s) for c/delay in filing SLP and Office Report)

SLP (C)...CC No. 15467-15468/2016
(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 16905/2016
(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 16926/2016
(With appln.(s) for c/delay in refiling SLP and appln.(s) for

c/delay in filing SLP and Office Report)

SLP(C) No. 26716/2016

(With appln.(s) for c/delay in refiling SLP and Interim Relief and Office Report)

SLP(C) No. 26717/2016

(With appln.(s) for c/delay in refiling SLP and Interim Relief and Office Report)

SLP(C)...CC No. 16983/2016

(With appln.(s) for c/delay in filing SLP and appln.(s) for c/delay in refiling SLP and Office Report)

SLP(C)...CC No. 16999/2016

(With appln.(s) for c/delay in filing SLP and appln.(s) for c/delay in refiling SLP and Office Report)

SLP(C)...CC No. 17006/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 17082/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 17101/2016

(With appln.(s) for c/delay in filing SLP and appln.(s) for c/delay in refiling SLP and Office Report)

SLP(C)...CC No. 17106/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 17112/2016

(With appln.(s) for c/delay in filing SLP and appln.(s) for c/delay in refiling SLP and Office Report)

SLP(C)...CC No. 17113/2016

(With (With appln.(s) for c/delay in filing SLP and appln.(s) for c/delay in refiling SLP and Office Report)

SLP(C)...CC No. 17116/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 11519/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 5448/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 17270/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 17295/2016

(With (With appln.(s) for c/delay in filing SLP and appln.(s) for c/delay in refiling SLP and Office Report)

SLP(C)...CC No. 17294/2016

(With appln.(s) for impleadment and appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 17293/2016

(With appln.(s) for c/delay in filing SLP and appln.(s) for c/delay in refiling SLP and Office Report)

SLP(C)...CC No. 17301/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 17274/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 17335/2016

(With appln.(s) for c/delay in refiling SLP and appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 17339/2016

(With appln.(s) for c/delay in refiling SLP and appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 16904/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 17910/2016

(With appln.(s) for c/delay in refiling SLP and appln.(s) for c/delay in filing SLP and Office Report)

SLP(C) No. 26661/2016

(With appln.(s) for c/delay in refiling SLP and Interim Relief and Office Report)

SLP(C)...CC No. 18132/2016

(With appln.(s) for c/delay in filing SLP and appln.(s) for c/delay in refiling SLP and Office Report)

SLP(C)...CC No. 18590/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 18382-18383/2016

(With appln.(s) for c/delay in filing SLP and appln.(s) for c/delay in refiling SLP and Office Report)

SLP(C)...CC No. 18504-18505/2016

(With appln.(s) for c/delay in filing SLP and appln.(s) for c/delay in refiling SLP and Office Report)

SLP(C) No. 27917/2016

(With appln.(s) for c/delay in refiling SLP and Interim Relief and Office Report)

SLP(C)...CC No. 20675-20676/2016

(With appln.(s) for c/delay in filing SLP and appln.(s) for c/delay in refiling SLP and Office Report)

SLP(C)...CC No. 22454/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 22963/2016

(With appln.(s) for c/delay in refiling SLP and appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 24339/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 17133/2016

(With appln.(s) for c/delay in refiling SLP and appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 21929-21930/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 23433-23434/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C)...CC No. 24886/2016

(With appln.(s) for c/delay in filing SLP and Office Report)

Date : 06/02/2017 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s) Mr. Sibbo Sankar Mishra,Adv.
Mr. Krishnayan Sen,Adv.
Mr. Asiya Khan, Adv.
Mr. Uddyam Mukhwerjee, Adv.
Mr. Som Raj Choudhury,Adv.

Mr. Pawan Upadhyay,Adv.
Mr. Sarvjit Pratap Singh, Adv.
Ms. Sharmila Upadhyay,Adv.
Mr. Shibashish Misra,Adv.
Ms. Anindita Pujari,Adv.

For Respondent(s) Mr. Somanatha Padhan, Adv.
Mr. Ashok Anand, Adv.

Mr. Shyam Divan, Sr. Adv.
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Mr. B.R. Paramguru, Adv.
Mr. Subhasish Mohanty, Adv.
Mr. Sandeep Devashish Das, Adv.
Mr. Rutwik Panda, Adv.
Mr. Anshu Malik, Adv.
Mr. Ajay Choudhary, Adv.

Mr. Suchit Mohanty, Adv.
Mr. Anupam Lal Das, Adv.
Mr. Akash Tyagi, Adv.
Mr. Shiv Sagar Tiwari, Adv.

Mr. S. Guru Krishna Kumar, Sr. Adv.
Mr. M.K. Sahoo, Adv.
Mr. A. Deb Kumar, Adv.
Ms. A. Deepa, Adv.
Mr. Y. Lokesh, Adv.
Mr. Arun Singh, Adv.
Mr. Sudarsh Menon, Adv.
Mr. Radha Shyam Jena, Adv.
Mr. T. V. George, Adv.
Mr. Satyalipsu Roy, Adv.
Mr. Prakash Ranjan Nayak, Adv.

Mr. J.K. Das, Sr. Adv.
Mr. Mehak Khurana, Adv.
Mr. Jaideep Das Gupta, Adv.

Mr. Ashok Kumar Panigrahi, Adv.
Mr. Gautam K. Laha, Adv.
Mr. Sanjeev Kumar, Adv.

Mr. J.S. Attri, Sr. Adv.
Mr. Rakesh Mishra, Adv.
Mr. L.R. Rath, Adv.
Mr. Chandra Nand Jha, Adv.
Mr. Bharat Sangal, Adv.
Ms. Vermika Tomar, Adv.
Ms. Vidushi Garg, Adv.
Ms. Anindita Deka, Adv.

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

These appeals are disposed of in terms of the signed
order.

(B.Parvathi)
Court Master

(Tapan Kr. Chakraborty)
Court Master

(Signed order is placed on the file)