

&
SLP(C)No. 13399 OF 2001
.PL55

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3748 OF 2003@@
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(Arising out of SLP(C) No.13399/2001)

Tej Ram Dhariwal(Retd.) ...Appellant

Versus

Union of India & Ors. ...Respondents

O R D E R

.SP2
.....L.....I.....J

Leave granted.

This appeal arises out of an order made by the High Court in a writ proceeding. The contention put forth by the appellant before the High Court was that certain circulars by which the increments were given to the Ex-service men in the Army had created artificial classification and, therefore, he sought for a direction that he be granted advance increments equal to the completed years of service rendered by him in the Army with consequential benefits.

There is no consideration of any of the contentions urged on behalf of the appellants or respondents at all. The order made by the High Court is far too cryptic and does not set out the facts or the contentions advanced before the Court by either side.

-2-

We think it was not a satisfactory way of disposing of the matter and, therefore, the order made by the High Court is set aside and the matter shall stand remitted to the High Court for fresh consideration in accordance with law. The appeal is allowed accordingly.

.SP1
.....J
[S. RAJENDRA BABU]

.....J
[G.P. MATHUR]

New Delhi,
April 25, 2003.

.PA
.PL60
.....L.....I.....J
ITEM No.206 Court No. 2 SECTION IVB
A/N MATTER

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.13399/2001

(From the judgement and order dated 26/04/2001 in CWP 11688/99
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

TEJ RAM DHARIWAL (RETD.)

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

(For Final Disposal)

Date : 25/04/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU
HON'BLE MR. JUSTICE G.P. MATHUR

For Petitioner (s) Mr. A.S.Nehra, Sr. Adv.
Mr. Mahabir Singh, Adv.
Mr. Ajay Pal, Adv.
Mr. Rakesh Dahiya, Adv.

For Respondent (s) Mr. Yakesh Anand, Adv.
Mr. Sanjeev Anand, Adv.

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

.....L.....I.....J
.SP2

Leave granted.
Appeal is allowed in terms of the signed order.

.SP1

(Meenu Sethi)
Court Master

(Suraj Prakash)
Court Master

Signed order is placed on the file