

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
I.A.Nos. 3 & 4/2012  
in  
CIVIL APPEAL NO. 5613 OF 2009

INDIAN COUNCIL OF AGRICULTURAL RESEARCH ..Appellant/Applicant

VERSUS

P.S.R. KUMAR SINHA & ORS ..Respondent(s)

O R D E R

Delay condoned in filing application for restoration.  
Application for restoration is allowed and the appeal is restored to its original number.

Heard learned counsel for the parties in Civil appeal.

Learned counsel for the appellant argued at length. However the net result remains that while deciding the matter the High Court has given the benefit of Note I of the circular dated 27.2.1999, that the pay of Scientists (Selection Grade)/Sr.Scientists with five years service as on 1.1.96 will be fixed at the minimum of Rs.14,940/- , however, no reference has been made to the said note by the High Court and thus, matter has not been decided in correct perspective. It is submitted that there is apparent error on the face of it.

In such a fact situation, the appellant ought to have filed a review petition before the High Court.

In view of the above, the appellant is permitted to withdraw the appeal with liberty to file the review petition before the High Court limited to the contention of application of the said Note I.

The civil appeal is dismissed as withdrawn with the aforesaid liberty.

.....J.  
(Dr. B.S. CHAUHAN)

.....J.  
(S.A. BOBDE)

NEW DELHI  
JULY 19, 2013.

ITEM NO.4                      Court No.5                      SECTION XIIA

S U P R E M E   C O U R T   O F   I N D I A  
RECORD OF PROCEEDINGS  
IA 3 & 4/2012 in CIVIL APPEAL NO. 5613 OF 2009

INDIAN COUNCIL OF AGRICULTURAL RESEARCH                      Appellant (s)

VERSUS

P.S.R. KUMAR SINHA & ORS

Respondent(s)

(With appln(s) for restoration and c/delay in filing application for restoration and office report)

Date: 19/07/2013 These matters was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN

HON'BLE MR. JUSTICE S.A. BOBDE

For Appellant(s) Mr. Vikas Mehta,Adv.

For Respondent(s) Mrs. Anjani Aiyagari,Adv.

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

Delay condoned in filing application for restoration.  
Application for restoration is allowed and the appeal is restored  
to its original number.

Heard learned counsel for the parties in civil appeal.

Appeal is dismissed as withdrawn, in terms of the signed  
order.

| (O.P. SHARMA)  
| Court Master

| (M.S. NEGI)  
| Court Master

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(Signed order is placed on the file)