

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6529 OF 2010

RAJ. STATE AGR. MARKETING BD. & ORS. APPELLANT (s)

VERSUS

GULAB CHAND MITTAL RESPONDENT (s)

O R D E R

After hearing the matter for some time, it was brought to our notice that a civil suit has been filed by the respondent challenging his termination during service. That civil suit is pending before the Civil Judge in Jaipur.

The issue raised in this appeal is with regard to the abolition of the post of Law Enquiry Officer (LEO) which the respondent was holding at the time of its abolition. After the post of LEO was abolished, the respondent was posted as Statistical Officer. It transpires that when the respondent was working as LEO, he was in the pay scale of Rs.2650-4500, but when he was posted as the Statistical Officer, he was put in the pay scale of Rs.2000-3500.

There is obviously a loss of income insofar as the respondent is concerned.

However, it is not necessary for us to go into the question whether the post of LEO was rightly abolished or not in view of the fact that learned counsel for the appellants has made a statement before us that in the event the respondent succeeds in the trial before the Civil Judge and the order terminating his service is set aside, he will be entitled to all the benefits including the pay scale which was due to him as LEO from the date of termination and further increments including pension and other consequential and retiral benefits.

For the period prior to his termination, we direct that the respondent should be paid the pay scale of LEO including any increments, etc. that may have been earned during that period, if not paid, within a period of two months with 12% interest. The period is from 04.08.1995 (the date of his reversion to the post of Statistical officer) till 25.08.1998 (the date of his termination).

The appeal is disposed of as above.

.....J.
(MADAN B. LOKUR)

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

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4700 OF 2011

RAJ. STATE AGR. MARKETING BOARD

APPELLANT (s)

VERSUS

GULAB CHAND MITTAL & ANR.

RESPONDENT (s)

O R D E R

We have heard learned counsel for the parties and are of the view that there is no error in the impugned judgment in allowing Respondent No.1 to produce the documents and lead evidence.

The appeal is dismissed.

.....J.
(MADAN B. LOKUR)

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

NEW DELHI
AUGUST 20, 2015

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

Civil Appeal No(s).6529/2010

RAJ.STATE AGR.MARKETING BD.& ORS.

Appellant(s)

VERSUS

GULAB CHAND MITTAL

Respondent(s)

(with office report)

WITH

C.A. No. 4700/2011

(With Interim Relief)

Date : 20/08/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE S.A. BOBDE

For Appellant(s)

Mr. Aruneshwar Gupta, AOR

Mr. Bijan Kumar Ghosh, AOR

For Respondent(s)

Ms. Shobha, AOR

Mr. Raghav Pandey, Adv.

Mr. Amit Mittal, Adv.

UPON hearing the counsel the Court made the following
O R D E RCivil Appeal No(s).6529/2010The appeal is disposed of in terms of the signed
order.C.A. No. 4700/2011

The appeal is dismissed in terms of the signed order.

(SANJAY KUMAR-I)
COURT MASTER(JASWINDER KAUR)
COURT MASTER

(Signed orders are placed on the file)