

C.A.No. 6526 OF 1998
.UP 10 2; Draft, smtst; -n -PA4 -dFX-NORMAL -y -e; dumbp
L.....T.....T.....T.....T.....T.....T.....T.....T.....T.....T.....R
ITEM No.103 COURT NO.9 SECTION IV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

C.A.No. 6526/1998

State of Punjab & Ors.

Appellants

VERSUS

Ishar Singh & Ors.
(With appln. for stay)

Respondents

WITH
CA No.6523/98

Date :20.2.2001. This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.P. MOHAPATRA
HON'BLE MR. JUSTICE DORAISWAMY RAJU

For Appellant (s) Mr. Anoop Chaudhary, Sr. Adv.
Mr. Lokesh Kumar, adv. for
Mr. R.S.Suri, adv.

For Respondent (s) Mr. Sanjay Sarin, adv.
Mr. Ashok Mathur, adv.

UPON hearing counsel Court made the following
ORDER

.....L.....I.....T.....T.....T.....T.....T.....T.....J

.SP2

In CA 6526/98@@
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Appeal is allowed.

In CA 6523/98@@
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Appeal is dismissed. No costs.

.SP1

(Suman Wadhwa)
PA to Addl.Regr.

(S.Malkani)
Court Master

.PA
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6526 OF 1998

State of Punjab & Ors.

& .. Appellants

Versus

Ishar Singh & Ors.

& .. Respondents

WITH

Civil Appeal No.6523 of 1998

O R D E R

In C.A.No.6526/1998

In view of the judgment in C.A.No.6526/1998 etc. and in State of Haryana vs. Haryana Veterinary & AHTS Association and another reported in 2000 (8) SCC 4, this appeal is allowed. However, we make it clear that if any of the respondents, who were Horticulture Inspectors, or other employees in the service in question has drawn any amount on the basis of the step up pay granted to him taking into account the adhoc service then the State will not recover the amount already drawn by the employee though fixation and determination of the cadre seniority the position as stated herein will govern.

In C.A.No.6523/1998:

In view of the judgment in C.A.No.6525/1998 etc. and in State of Haryana vs. Haryana Veterinary & AHTS Association and another reported in 2000 (8) SCC 4, we find no merit in this appeal. It is accordingly dismissed. No costs.

& & & & .& & & & & J.
(D.P.MOHAPATRA)

& & & ..& & & & & ..J.
(DORAISWAMY RAJU)

New Delhi;
February 20, 2001