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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3353 OF 2008

Regional Manager, Central Bank of India

Appellant

VERSUS

R.N. Sharma & Ors.

Respondents

WITH

CIVIL APPEAL NO.3354 OF 2008

AND

CIVIL APPEAL NO.3355 OF 2008

O R D E R

CIVIL APPEAL NO.3353 OF 2008

Heard Mr. Jaideep Gupta, learned senior counsel along with Ms.

Jyoti Dastidar for the appellant and Mr. Bakshi for the respondent.

It is submitted at the Bar that the respondent, R.N. Sharma has foregone the interest and also opted on the basis of the scheme floated in 2006 and, therefore, he would be entitled to arrears of pension commencing 1.6.2001.

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Gulshan Kumar Arora
Date: 2015.02.06
16:21:30 IST

The aforesaid being the undisputed position, the order of the

Reason:

High Court is modified to the extent that the respondent no.1 shall be given the benefit of arrears of pension commencing 1.6.2001 without interest within a period of two months from today.

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The appeal stands disposed of accordingly.

There shall be no

order as to costs.

CIVIL APPEAL NO.3355 OF 2008

Having heard learned counsel for the parties, we are of the considered opinion that the cause of justice would be subserved if the respondent is extended the benefits by the appellant from 01.09.2010, the date from which he has already been given the benefit in pursuance of the second scheme. The said benefits shall be continued to be given but he shall not be entitled to any benefit under the initial scheme and if any amount has been given under the first scheme, it shall not be recovered.

The appeal is disposed of accordingly. There shall be no order as to costs.

.....,J.
(Dipak Misra)

.....,J.
(Uday Umesh Lalit)

New Delhi;
November 20, 2014.

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ITEM NO.108 COURT NO.6 SECTION IV

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

Civil Appeal No(s). 3353/2008

REGIONAL MANAGER,CENTRAL BANK OF INDIA Appellant(s)

VERSUS

R.N.SHARMA & ORS Respondent(s)

(with office report)

WITH
C.A. No. 3354/2008
(With appln.(s) for early hearing and Interim Relief and Office Report)
C.A. No. 3355/2008
(With Interim Relief and Office Report)

Date : 20/11/2014 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Appellant(s) Mr. Jaideep Gupta, Sr. Adv.
Mr. Dinesh Mathur, Sadv.

Ms. Jyoti Dastidar, Adv.
Mr. K. Rajeev, Adv.

For Respondent(s) Mr. Rameshwar Prasad Goyal, Adv.

Ms. Naresh Bakshi, Adv.

Ms. Shalu Sharma, Adv.

Mr. K. K. Mohan, Adv.

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

CIVIL APPEAL NOS.3353 AND 3355 OF 2008

The appeals stand disposed of in terms of the signed order.

CIVIL APPEAL NOS.3354 OF 2008

Let the matter be listed on 27.11.2014 to enable Mr. Jaideep
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Gupta, learned senior counsel being assisted by Ms. Jyoti Dastidar to obtain instructions whether the legal representatives of the respondent-employee are getting the benefits from 01.09.2010.

(Gulshan Kumar Arora)
Court Master

(H.S. Parasher)
Court Master