

ITEM NO.18

COURT NO.2

SECTION IX

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

Petition(s) for Special Leave to Appeal (C) No(s). 15664/2012

(Arising out of impugned final judgment and order dated 23/12/2011 in SCA No. 3633/1999 passed by the High Court Of Gujarat At Ahmedabad)

UNION OF INDIA

Petitioner(s)

VERSUS

BRIG. CHATARANJAN SAWANT (RETD.) & ORS.

Respondent(s)

(with interim relief and office report)

WITH W.P.(C) No. 528/2012
(With appln.(s) for directions and)

W.P.(C) No. 109/2013
(With appln.(s) for directions and Office Report)

Date: 12/05/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR
HON'BLE MR. JUSTICE R.K. AGRAWAL
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. R. Balasubramanian,Adv.
(SLP 15664/12) Mr. Santosh Kumar,Adv.
Mr. R.K. Verma,Adv.
Mr. B. V. Balaram Das,Adv.

(WP 528/12) Mr. Arvind Kr. Sharma,Adv.
Mr. Saurabh Mishra,Adv.

(WP 109/13) M/s Mitter & Mitter Co.

For Respondent(s) Mr. Kishore M. Paul,Adv.
Mr. Rajeev Singh,Adv.

Signature Not Verified

Mr. R. Balasubramanian,Adv.
Mr. R.K. Verma,Adv.

Digitally signed by
Mahabir Singh
Date: 2015.05.19
15:57:25 IST

Reason: Mr. B. Krishna Prasad,Adv.

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

Heard.

By our Order dated 18th November, 2014, we had directed Union of India to indicate the current status of 54 defence personnel held in Pakistani Jails. Mr. K. Radhakrishna, learned senior counsel appearing for the Union of India, had also sought time to take instructions whether the direction issued by the High Court of Gujarat in relation to release of retiral benefits in favour of the next of kin of soldiers who

are said to be languishing in Pakistani Jails, had been complied with by the Government of India and if so to what extent.

Mr. R. Balasubramanian, learned counsel, today appears for Union of India and seeks some more time to do the needful. We see no reason to grant further time unconditionally to the petitioner-Union of India especially when the last order was made as far as back on 18th November, 2014 and Union of India has had sufficient time to respond to the direction issued therein.

We accordingly grant two months' further time to the Union of India to comply with the directions issued by us on 18th November, 2014, subject to payment of Rs.20,000/- as costs to be deposited in the Supreme Court Advocates-On-Record Welfare Trust.

W.P.(C)No.528 of 2012 & W.P.(C) No.109 of 2013 :

Six weeks' time is granted finally to the respondents to file counter affidavit, if not already filed. Rejoinder affidavit, if any, be filed within four weeks thereafter.

Post these matters on Tuesday, the 25th August, 2015.

(MAHABIR SINGH)
COURT MASTER

(VEENA KHERA)
COURT MASTER