

: ITEM NO.128

COURT NO.7

SECTION XV

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). 1916 OF 2006

UNION BANK OF INDIA & ANR.

Appellant (s)

VERSUS

S.L. GUPTA

Respondent(s)

Date: 08/04/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE A.K. PATNAIK

For Appellant(s) Mr. O.P. Gaggar, Adv.

For Respondent(s) Mr. J.L. Gupta, Sr. Adv
Ms. S. Janani, Adv.

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

The appeal is disposed of in terms of the signed
order and the impugned judgment and order is modified
accordingly. No order as to the costs.

(Indu Satija)
Court Master

(Ajay Kr. Jain)
AR-cum-PS

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1916 OF 2006

Union Bank of India & Anr. Appellants

Versus

S.L. Gupta Respondent

O R D E R

Heard learned counsel for the parties.

This appeal by special leave is filed against the
impugned judgment and order dated 04.04.2005 of the
Division Bench of the High Court of Punjab & Haryana
whereby the Letters Patent Appeal filed by the respondent

herein has been allowed.

Facts in detail have been mentioned in the impugned judgment and order. Hence, we are not repeating the same here.

By the impugned judgment and order the High Court has held that respondent's promotion shall take effect from 1978 instead of 1986 and the High Court has directed that he shall get the benefit of his seniority and all consequential benefits w.e.f. 1978, except those given up by his counsel.

On the facts and circumstances of the present case, we direct that the respondent shall not be paid any emoluments for the period 1978 to 1986 but he will be given the benefit of continuity of service for the period 1978 to 1986 for the purposes of his retiral benefits and other benefits like re-fixation of his pay, as directed by the High Court in the impugned judgment and order. The consequential payments to be made to the respondent in terms of our order shall be given to him within three months from today.

The appeal stands disposed of in the above terms and the impugned judgment and order is modified accordingly. No order as to the costs.

.....J.
(MARKANDEY KATJU)

.....J.
(A.K. PATNAIK)

NEW DELHI;
APRIL 08, 2010