

ITEM NO.9

COURT NO.5

SECTION IVA

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 (Civil)...../2012  
CC 10080/2012

(From the judgement and order dated 18/11/2010 in WP No.7593/2003,  
of The HIGH COURT OF KARNATAKA AT BANGALORE)

CHIEF POST MASTER GEN.KARNATAKA CIR.&amp;ORS

Petitioner(s)

VERSUS

S. MOHAN KUMAR

Respondent(s)

(With appln(s) for c/delay in filing SLP)

Date: 05/07/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s)

Mr. R.P. Bhatt, Sr. Adv.

Mr. Ashok K. Srivastava, Adv.

Ms. B Sunita Rao, Adv.

Mr. B. Krishna Prasad, Adv.(Not present)

For Respondent(s)

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

This petition filed for setting aside order dated  
18.11.2010 passed by the Division Bench of the Karnataka  
High Court is accompanied by an application for condonation  
of 445 days delay.

We have heard Shri R.P. Bhatt, learned senior  
counsel representing the petitioners and carefully perused

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the averments contained in the application filed under  
Section 5 of the Limitation Act and are convinced that there  
is no valid ground to accept the explanation offered by the  
petitioners for delayed filing of the special leave  
petition.

We are further of the view that the Bangalore Bench  
of the Central Administrative Tribunal did not commit any

error by quashing the action taken by the petitioners to re-fix the respondent's pay on the recommendations of the Vth Pay Commission and the High Court rightly declined to entertain the petitioners' challenge to the order of the Tribunal.

Learned senior counsel appearing for the petitioners could not put forward any tangible argument to support re-fixation of the respondent's pay in the light of the recommendations of the Vth Pay Commission. Therefore, we do not find any valid ground to interfere with the impugned order.

The special leave petition is accordingly dismissed on the ground of delay and also on merits.

For filing a frivolous petition like the present one, the petitioners are saddled with costs of rupees fifty thousand which shall be deposited by them with the Supreme Court Legal Services Committee within a period of eight weeks from today. It will be open to the Central Government to recover the amount of costs from the officers responsible for taking wholly arbitrary and unjustified action for re-

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fixing the respondent's pay.

(Parveen Kr.Chawla)  
Court Master

(Phoolan Wati Arora)  
Court Master