

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO.1104 OF 2007

Smt. Indu Jain

Appellant(s)

Versus

Pushpendra Singh Baghel and Others

Respondent(s)

O R D E R

Heard Mr. Jagjit Singh Chhabra, learned counsel for the appellant and Mr. Ankit Lal, learned counsel for the respondent-State. There is no appearance on behalf of the respondent No.1.

In the course of hearing, we have been apprised by Mr. Chhabra, learned counsel for the appellant that the appellant was appointed on compassionate ground as Commercial Tax Officer in 2004, after the death of her husband. She was promoted to the post of Assistant Commissioner Commercial Tax in 2008 and in the year 2015, she has been promoted to the post of Deputy Commissioner Commercial Tax. It is also submitted by the learned counsel for the appellant that she has another four and a half years left to attain the age of superannuation.

In such a situation, though we find that the judgment of the High Court may be an acceptable view, we do not intend to disturb the status of the appellant. The appellant shall continue in her post and would be entitled to all the benefits, including consideration for promotion. We may hasten to add that she has been continuing by virtue of the interim order passed by this court. Be it clarified, we have stated so keeping in view the special features of the case.

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

Civil Appeal No.1105 of 2007

In view of the order passed today in Civil Appeal No.1104 of 2007, the present appeal preferred by the State also stands disposed of. There shall be no order as to costs.

.....CJI.
[Dipak Misra]

.....J.
[A.M. Khanwilkar]

.....J.
[Dr. D.Y. Chandrachud]

New Delhi
February 01, 2018.

ITEM NO.103

COURT NO.1

SECTION IV-A

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

Civil Appeal No.1104/2007

INDU JAIN

Appellant(s)

VERSUS

PUSHPENDRA SINGH BAGHEL & ORS.

Respondent(s)

WITH C.A. No.1105/2007 (IV-A)

Date : 01-02-2018 This appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Appellant(s)

Mr. Jagjit Singh Chhabra, AOR
Mr. Saksham Maheshwari, Adv.

Mr. Arjun Garg, AOR

For Respondent(s)

Mr. Kamlendra Mishra, AOR

Mr. Arjun Garg, AOR

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

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

(Chetan Kumar)
Court Master

(H.S. Parasher)
Assistant Registrar
(Signed order is placed on the file)