

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

IA Nos. 2-3 in Special Leave to Appeal (Civil) No(s).22276/2013

STATE OF U.P & ANR.

Petitioner(s)

VERSUS

RAJESH KUMAR & ANR.

Respondent(s)

(For clarification of court's order and directions)

Date: 07/03/2014 These I.As. were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s)

Ms. Shobha Dikshit, Sr. Adv.
Mr. Ameet Singh, Adv.
Ms. Alka Sinha, Adv.
Mr. Anuvrat Sharma, Adv.

For Respondent(s)

Dr. Rajiv Dhavan, Sr. Adv.
Mr. Siddharth Krishna Dwivedi, Adv.
Mr. Shail Kumar Dwivedi, Adv.

Mr. P.N. Mishra, Sr. Adv.
Mr. Kaushal Yadav, Adv.
Ms. Mamta ani, Adv.
Dr. Ajay Kumar, Adv.
Mr. Praveen Kr. Singh, Adv.

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

Heard learned counsel for the parties.

By order dated 23rd July, 2013 passed in SLP(C) No. 22276 of 2013, we had, inter alia, directed as follows:

"In the meanwhile, there shall be status quo with regard to the transfer and posting of respondent Nos. 1 and 2.

The High Court may, however, proceed with the hearing of the writ petition."

By the aforesaid order, we had made it clear that there shall be status quo only with regard to the transfer and posting of respondent Nos. 1 and 2 and the High Court may proceed with the hearing of the writ petition. Yet, by the order passed by the High Court on 14th February, 2014 in Service Bench No. 816 of 2013, the High Court has suggested the parties to move an application for clarification of our order dated 23rd July, 2013 so that the hearing of the writ petition may take place.

Our order dated 23rd July, 2013 is clear that the hearing of the writ petition may continue. Hence, the status quo order with regard to the transfer and posting of respondent Nos. 1 and 2, was to remain till the matter is decided by the High Court.

In view of the order of status quo passed with regard to transfer and posting of respondent Nos. 1 and 2, the respondent No. 1 will now join the post of Director, Area Planning and continue to work there till the High Court decides the matter.

The interlocutory applications as also the special leave petition stand disposed of.

(G. SUDHAKARA RAO)
COURT MASTER

(SHARDA KAPOOR)
COURT MASTER