

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).12023/2007

(From the judgement and order dated 10/05/2007 in CWP No. 10298/2004
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

LALIT MOHAN

Petitioner(s)

VERSUS

B.S.N.LTD.& ORS.

Respondent(s)

(With prayer for interim relief)

Date: 07/12/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER
HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s) Mr. Jagjit Singh Chhabra, Adv.
Mr. Amanpreet Rahi, Adv.
Mr. Jaswant, Adv.
Mr. D.K. Tripathi, Adv.

For Respondent(s) Mr. Narendra Kalra, Adv.
Mr. Mukesh Verma, Adv.
Mr. M.R. Shamshad, Adv.
Mr. Yash Pal Dhingra, Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

Operation of order dated 30th June, 2004/5th July, 2004
(Annexure P-17) is stayed.

The appeal is allowed.

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5678 OF 2007
(arising out of SLP(C) No. 12023/2007)

Lalit Mohan .. Appellant(s)
Versus
B.S.N. Ltd. & Ors. .. Respondent(s)

ORDER

Leave granted.

We have heard learned counsel for the parties.

This appeal is filed against an interim order passed by the High
Court of Punjab & Haryana on May 10, 2007. By the impugned order,
the petition filed by the appellant herein has been admitted but interim

relief has not been granted. The resultant effect is that he is reverted to the post of Telecom Technical Assistant from the promotional post of Junior Telecom Officer. The appellant submitted that he had cleared the examination which is required to be cleared. It is also submitted that the appellant remained on the promotional post for about six years and in view of the impugned order, he is now reverted.

On the facts and in the circumstances of the case, particularly in the light of the fact that the main petition is pending before the High Court, without expressing any opinion on the question in controversy, in our opinion, it would be appropriate if the relief is granted in favour of the appellant to continue to hold promotional post, particularly, in the light of the fact that according to the appellant, he has cleared the requisite examination in the year 1999, prior to the promotion and that he is having requisite experience of six years.

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Operation of order dated 30th June, 2004/5th July, 2004 (Annexure P-17) is stayed.

The appeal is, accordingly, allowed.

.....J
[C.K. THAKKER]

.....J
[ALTAMAS KABIR]

NEW DELHI,
DECEMBER 07, 2007.