

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)...CC472-478/2005  
(From the judgement and order dated 04/09/2001 in FMA 254-259/94  
and FMA 117/94 of The HIGH COURT OF CALCUTTA)

UNION OF INDIA

Petitioner (s)

VERSUS

ANNAPURANA DEVI (D) BY LRS. &amp; ORS.

Respondent (s)

( With Appln(s). for c/delay in filing SLP and c/delay in refiling SLP )  
( With Office Report )

Date : 28/01/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE H.K. SEMA  
HON'BLE MR. JUSTICE G.P. MATHUR

For Petitioner (s)Mr. B Dutta, ASG  
Mr. Shailendra Sharma, Adv.  
Mrs Anil Katiyar,Adv.

For Respondent (s)

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

Prayer for substitution and bringing the LRs on record is allowed.  
The learned Addl. Solicitor General places reliance on a 3-Judge Bench decision of this Court in Union of India vs. Hari Krishan Khosla (D) by LRs., 1993 (Supp. 2) SCC 149 and a 2-Judge Bench decision in Union of India vs. Ajaib Singh and Others, 1996 (9) SCC 638. The latter case takes a view that the Court lacks inherent jurisdiction to award solatium and interest in such like cases as is the present one.  
Issue notice to the respondents to show cause why the petitions be not allowed and the appeals before the High Court be directed to be heard on merits after condoning the delay in filing the petitions in this Court.  
Issue notice on the prayer for grant of interim relief also.  
Until further orders, it is directed that the amount of solatium and interest shall not be available for being withdrawn by the respondents.

(D.P. WALIA)  
COURT MASTER

(RADHA R. BHATIA)  
COURT MASTER