

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1102 OF 2011

INDIAN COUNCIL OF AGRICULTURAL RES. & ANR ...APPELLANT(S)

VERSUS

B.SASIKUMAR & ORS. ...RESPONDENT(S)

WITH

CIVIL APPEAL NO. 1103 OF 2011

CIVIL APPEAL NO. 11918 OF 2016

O R D E R

The claim of the respondents in their application before the Central Administrative Tribunal was to seek benefit of Scheme dated 27th February, 1999. The said Scheme provided revision of pay scales of the Scientists of I.C.A.R in the light of 5th Central Pay Commission. The Scheme laid down that four and two advance increments will be admissible to those who hold Ph.D and M.Phil degrees respectively at the time of recruitment as Scientists. This was in substitution of earlier Scheme which provided for three increments.

The Tribunal and the High Court have upheld the said scheme.

The only objection raised on behalf of the appellants is that if the said benefits are allowed, the respondents will get double benefit i.e. three increments under the earlier Scheme and four increments under the present Scheme.

While we find merit in the above submission that the respondents should not get double benefit, the respondents should certainly get benefit in terms of the above Scheme at par with others.

Accordingly, we modify the impugned order and direct that the benefits be given to the respondents not under two Schemes but under the second Scheme dated 27.02.1999 mentioned above.

The appeals are, accordingly, disposed of.

.....J.
[ADARSH KUMAR GOEL]

NEW DELHI
23rd August, 2017

.....J.
[UDAY UMESH LALIT]

ITEM NO.110

COURT NO.12

SECTION XI -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(s). 1102/2011

INDIAN COUNCIL OF AGRICULTURAL RES.&ANR.

Appellant(s)

VERSUS

B.SASIKUMAR . & ORS.

Respondent(s)

WITH

C.A. No. 1103/2011 (XI -A)

C.A. No. 11918/2016 (XII)

Date : 23-08-2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Appellant(s) Mr. A.Mangalasserry,Adv.
 Mr. R.K. Singh,Adv.
 Mr. Amit Singh,Adv.
 Mr. Praveen Swarup, AOR

For Respondent(s) Mr. Shankar Raju,Adv.
 Mr.Satya Mitra Garg, AOR
 Mrs.Manju Aggarwal,Adv.

 Mr. C.S. Rajan,Sr.Adv.
 Mr.A. Raghunath, AOR
 Mr.M.G. Yogamaya,Adv.

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.

Pending application(s), if any, shall also stand disposed of.

(MADHU BALA)

COURT MASTER (SH)

(Signed order is placed on the file)

(PARVEEN KUMARI PASRICHA)

BRANCH OFFICER