

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

Petition(s) for Special Leave to Appeal (Civil) No(s).1179/2008
(From the judgement and order dated 26/11/2007 in WPC No.
34046/2007 of The HIGH COURT OF KERALA AT ERNAKULAM)

INDIAN COUNCIL OF AGRICULTURAL RES.&ANR. Petitioner(s)
VERSUS
B.SASIKUMAR & ANR. Respondent(s)

(With prayer for interim relief and office report)
(For final disposal)

WITH SLP(C) NO. 21872 of 2008
(With prayer for interim relief and office report)

Date: 19/02/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE C.K. PRASAD

For Petitioner(s) Mr.A. Sharan, Sr.Adv.
Mr.Manoj Shekhar, Adv.
Mr. S. Chandra Shekhar,Adv.

For Respondent(s) Mr.A.K. Behera, Adv.
Ms.Jasmine Ahmed, Adv,

Mr. Satya Mitra Garg,Adv.

Mr.C.S. Rajan, Sr.Adv.
Mr. A. Raghunath, Adv.

UPON hearing counsel the Court made the following

O R D E R

In the impugned order it has been observed by the High Court that if the stand of the writ petitioners were to be accepted, the same would result in a junior drawing higher pay than the senior. Inviting our attention (Page 157) to an order issued on 16th October, 2004, learned counsel for the respondent submits that the pay of Dr.J. Rema, Sr. Scientist has been refixed with effect from 27th July, 1998 and as per this office order as on 27th July, 1998 Dr. J. Rema's

...2/-

:2:

Basic Pay is Rs.13,680/-, whereas the Basic Pay of the 1st respondent was fixed at Rs.12,000/-. According to the learned counsel respondent No.1 is senior to Dr. J. Rema.

Mr. Amrendra Sharan, learned senior counsel appearing on behalf of the petitioners prays for some time to seek instructions on this aspect of the matter and if need be to file an appropriate affidavit. Let the needful be done within four weeks.

List thereafter.

[Usha Bhardwaj]
Court Master

[Pushap Lata Bhardwaj]
Court Master