

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL.) NO(s). 1077-1080 OF 2008

NATIONL.INS.VOL RETD/RETD.EMP.ASN.& ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

WITH

T.P.(C) NO. 1096-1098 of 2008

T.P.(C) NO. 1258-1259 of 2008

T.P.(C) NO. 1228-1230 of 2008

T.P.(C) NO. 159 of 2010

O R D E R

In these several transfer petitions, prayer has been made to transfer the various writ petitions and writ appeals/Letter Patent Appeals, pending before different High Courts, for the same relief, namely, to quash the scheme referred to as the General Insurance (Rationalisation of Pay-Scales and Other Conditions of Service of Officers) Amendment Scheme, 2005, as notified, vide Notification No.S.O.1792(E) dated 21st December, 2005, issued by the Union of India.

2. Having heard learned counsel for the petitioners

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and the Insurance Company, we are inclined to allow the transfer petitions in order to avoid conflict of decisions in respect of the matters pending before various High Courts of the country. It may be recorded that despite service of notice, the Union of India was not represented, when the matter was taken up for the purpose of transfer.

3. The transfer petitions are accordingly allowed.

4. Let the pending writ petitions before the High Courts of Madras, Kerala, Karnataka, Bombay and Orissa and the LPAs pending before the Himachal Pradesh High Court and Gujarat

High Court, stand transferred to this Court under Article 139A of the Constitution of India.

5. Once all the records are received from the different High Courts, the Registry is directed to put up an Office Note for the purpose of final disposal of the different matters.

6. In the meantime, the respondents in the different proceedings would be entitled to file their counter affidavits to the writ petitions, in the event the same have not already been filed, within a period of 8 weeks; rejoinder, if any, thereto, may be filed within two weeks thereafter.

.....J.
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(ALTAMAS KABIR)

.....J.
(A.K. PATNAIK)

NEW DELHI,
October 18, 2010.
ITEM NO.44

COURT NO.2

SECTION XVIA

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

TRANSFER PETITION (CIVIL.) NO(s). 1077-1080 OF 2008

NATIONL.INS.VOL RETD/RETD.EMP.ASN.& ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for stay and with prayer for interim relief and office report)

WITH
T.P.(C) NO. 1096-1098 of 2008
T.P.(C) NO. 1258-1259 of 2008
(With appln.(s) for stay and office report)
T.P.(C) NO. 1228-1230 of 2008
(With appln.(s) for stay)
T.P.(C) NO. 159 of 2010
(With office report)

Date: 18/10/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. L.Nageswara Rao, Sr. Adv.
Mr. Dayan Krishnan, Adv.
Mr. V.Partihiban, Adv.
Mr. Nikhil Nayyar, Adv.

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Mr. Gautam Narayan, Adv.
Mr. Nikhil Menon, Adv.

Ms. Ritu Kumar, Adv.
Ms. Jyoti Mendiratta, Adv.

For Respondent(s) Mr. Mukul Rohtagi, Sr. Adv. (N.P.)
Mr. Jaideep Gupta, Sr. Adv.
Mr. Dinesh Mathur, Adv.
Mr. Nishant Menon, Adv.
R2to6 Mr. Rameshwar Prasad Goyal, Adv.

Contd..2/-

Mr. V.N. Raghupathy, Adv.

Mr. Dinesh Mathur, Adv.
Mr. Nishant Menon, Adv.
For M/S. Dua Associates, Advs.

Mr. Dinesh Mathur, Adv.
Mr. Nishant Menon, Adv.
Mr. R.P. Goyal, Adv.

Mr. Mukul Rohtagi, Sr. Adv. (N.P.)
Mr. Jaideep Gupta, Sr. Adv.
Mr. Dinesh Mathur, Adv.
Mr. Nishant Menon, Adv.
Mr. R.P. Goyal, Adv.

UPON hearing counsel the Court made the following

O R D E R

In terms of the signed order, the transfer petitions are allowed.

Let the pending writ petitions before the High Courts of Madras, Kerala, Karnataka, Bombay and Orissa and the LPAs pending before the Himachal Pradesh High Court and Gujarat High Court, stand transferred to this Court under Article 139A of the Constitution of India.

Once all the records are received from the different High Courts, the Registry is directed to put up an Office Note for the purpose of final disposal of the different matters.

In the meantime, the respondents in the different proceedings would be entitled to file their counter affidavits to the writ petitions, in the event the same have not already been filed, within a period of 8 weeks; rejoinder, if any,

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thereto, may be filed within two weeks thereafter.

(Sheetal Dhingra)
Court Master

(Veena Kherra)
Court Master

[Signed order is placed on the file]