

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).20386/2003

(From the judgement and order dated 08/09/2003 in WP No. 370/2003 of The HIGH COURT OF UTTARANCHAL AT NAINITAL)

STATE OF UTTARANCHAL & ORS.

Petitioner(s)

VERSUS

BHUWAN CHANDRA PANDEY & ORS.

Respondent(s)

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

Date: 28/03/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Petitioner(s) Mr. Vijay K. Jain,Adv.

For Respondent(s) Ms. Binu Tamta,Adv.

Mr. Pradeep Misra ,Adv

UPON hearing counsel the Court made the following  
ORDER

Heard learned counsel for the parties.

The matter relates to the V.R.S. benefits due to the first

respondent. The fact that first respondent was entitled to VRS benefit was not in dispute. The fact that at the time of retirement he was serving under State of

Uttaranchal is also not in dispute. The only question was whether State of

Uttaranchal to whom he was allotted was liable or whether State of U.P. is also

liable as there was

no 'final allocation'. This Court by Order dated 17.11.2003 directed the State of Uttaranchal to pay the VRS benefits. Learned counsel for the appellant-State of Uttaranchal submitted that as per order of this Court dated 17.11.2003, the

State of Uttarachal has paid the V.R.S. benefits to the respondent. The issue does not survive insofar as first respondent is concerned.

Learned counsel for the State of Uttarachal submitted that the respondent was not finally allocated to the State of Uttaranchal and, therefore, the State of Uttar Pradesh was liable to pay the above mentioned benefits to the respondent. This is an issue that is to be decided between Uttaranchal and Uttar Pradesh. If State of Uttaranchal wants State of U.P. to assume responsibilities, it may take appropriate steps against the State of U.P. for recovery of the amount paid to first respondent in accordance with law.

The special leave petition is disposed of reserving such liberty.

(R.K.DHAWAN)  
COURT MASTER

(VEERA VERMA)  
COURT MASTER