

SLP(C)No. 943 OF 2002
ITEM No.34

Court No. 2

SECTION XI
A/N MATTER

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) No.943/2002
(From the judgement and order dated 04/07/2001 in SA 569/99
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

STATE OF U.P. & ORS.

Petitioner (s)

VERSUS

RAMVATI PATHAK & ANR.

Respondent (s)

(With Appln(s). for exemption from filing O.T.)
(With prayer for I.R.)

Date : 03/05/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAİK
HON'BLE MR. JUSTICE BRIJESH KUMAR
HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s) Mr. Ashok K.Srivastava,Adv.

For Respondent (s) Mr. R.C.Srivastava,Sr.Adv.
M/s H.M.Srivastava,G.G.Upadhyay,S.A.Ahmad,
Manoj Prasad and Mr. Syed Tanweer
Ahmed,Adv.s.for Mr. R.D.Upadhyay,Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J
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Heard Mr. Srivastava appearing for the State and learned counsel appearing for the respondents. Though there is considerable force in the submission of the counsel for the State, but having regard to the fact that the pensioner is already dead and his wife would be getting a family pension and the difference of amount is hardly Rs.30/- per month, we are not inclined to interfere with the impugned order. We, therefore, keep the point urged in this matter open for being considered in an appropriate case. We, however, direct that the respondents will not be entitled to any interest on the arrear amount.

The Special Leave Petition stands disposed of.

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(Y.P.Dhamija)
Court Master

(Suneet Bala Sharma)
Assistant Registrar