

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGSPetition(s) for Special Leave to Appeal (Civil)...../2008
CC 11036/2008(From the judgement and order dated 11/02/2008 in CWP No. 7601/2006 of
The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

SONEPAT CENTRAL COOP.BANK LTD.

Petitioner(s)

VERSUS

HAWA SINGH SHEORAN & ANR.

Respondent(s)

With I.A.No.1 (c/delay in filing SLP)

Date: 18/08/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

HON'BLE MR. JUSTICE P. SATHASIVAM

For Petitioner(s) Mr. Shish Pal Laler, Adv.
Mr. Balbir Singh Gupta, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

ORDER

Being of the view that special allowance should not be considered as basic pay, the petitioner refixed the pay of the first respondent, by excluding special allowance on 18.4.1991.

But subsequently, the petitioner voluntarily again refixed the pay by order dated 18.12.1991, by taking note of special allowance as a part of basic pay, on a representation by the first respondent.

Again on a audit objection, the petitioner proposed to refix the pay by excluding the special allowance. In view of the second specific refixation on 18.12.1991 we think that there is no merit in this petition. The special leave petition is dismissed. As we rejected this petition in view of the said fact we have neither examined nor expressed any opinion on the question whether special allowance and special pay are the same. That question is left open.

(PAWAN KUMAR) (ANAND SINGH)
COURT MASTER COURT MASTER