

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

RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 2427 OF 2002

CHAIRMAN, STATE BANK OF INDIA & ORS.

Appellant (s)

VERSUS

H.C. AGARWAL & ANR.

Respondent(s)

(With appln(s) for seeking permission to file reply to Additional Affidavit and with office report)

Date: 03/02/2005 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Appellant(s)

Mr.L.Nageswara Rao, Sr.Adv.

Mr. Sanjay Kapur, Adv.

Mr. Rajiv Kapur, Adv.

For Respondent(s)

Mrs. Shyamla Pappu, Sr.Adv.

Mr.Rajendra Kumar Shrivastava, Adv.

Mr. Sakesh Kumar, Adv.

Mr. Rameshwar Prasad Goyal, Adv.

UPON hearing counsel the Court made the following

J U D G M E N T

The appeal stands disposed of in terms of the signed judgment.

NON-REPORTABLE.

(Sheetal Dhingra)

(Asha Joshi)

Court Master

Assistant Registrar

[The Signed judgment is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.2427 OF 2002

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J U D G M E N T

B.P.Singh, J.

We have heard counsel for the parties.

After having gone through the material on record, we suggested to the parties to settle their disputes and we are happy to record that they have settled their disputes in a reasonable manner.

In the result, with the consent of the parties, the impugned judgment and order of the High Court is set aside. The respondent No.1 shall be deemed to have retired from service of the Bank on 31st January, 1998 and the Bank shall accordingly work out the additional amount that may become payable to the respondent, since the earlier calculation was on the basis that he had retired from service with effect from 30th November, 1997.

The outstanding in the house loan account of respondent No.1 as on date stands at Rs.3,78,476.65. As against this, there is a sum of Rs.3,43,000/- in the Term Deposit Receipt

Account of the respondent No.1. The Bank shall adjust the amount in the said TDR Account

against the total outstanding in the house loan account in full and final settlement of all dues

payable against house loan account. Nothing further shall be payable by respondent No.1 to the

appellant Bank on this account.

The pension which has not been paid to the respondent No.1, shall be paid within a

period of three months, and the respondent No.1 will sign the necessary papers immediately on

presentation, and will not make any excuses for not signing the pension papers. This order is

passed in full and final settlement of all disputes between the parties. Future pension shall be

paid in accordance with rules.

The appeal stands disposed of in the above terms.

...J.

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(B.P. SINGH)

.J.

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(B.N. SRIKRISHNA)

New Delhi

February 03, 2005.