

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. 5675/2010

KIRAN AGARWAL

APPELLANT(s)

VERSUS

HIGH COURT OF HIMACHAL PRADESH

RESPONDENT(s)

O R D E R

None is present for the appellant.

2. Even on the last two dates of hearing, none was present for the appellant. Consequently, this Court has no other option but to proceed with the matter.

3. A perusal of the paper book it reveals that limited notice was issued by this Court on 19.10.2009 confined to the question as to whether the appellant is entitled to subsistence allowance from 04.04.1997 to 27.09.2001.

4. In the counter Affidavit filed by the High Court of Himachal Pradesh, it has been stated as under:

"15. The Respondent was always ready and willing and is ready and willing to pay the subsistence allowance to the petitioner for the period in question as per office order dated 08.02.2002, but in absence of the requisite certificate, it was not possible for the District Judge, Hamirpur, as well as the High Court to prepare necessary bills and submit the same to the treasury. The treasury would not sanction the payment, until the requisite certificate are appended.

16. The petitioner in this SLP has filed certain certificates at pages 103 and 104 of the paper book, but the said certificate are not available in the office of the District Judge, Hamirpur or the Himachal Pradesh High Court. If the petitioner submits the necessary certificates, as required under FR 53(2) and prescribed under CCA (CCS) Rules, 1965, the payment would be processed forthwith."

5. Learned counsel for the High Court reiterates that the High Court is willing to make payment of the subsistence allowance for the disputed period in accordance with the aforesaid paragraphs of the counter affidavit.

6. The undertaking given by the High Court of Himachal Pradesh in paragraphs 15 and 16 of the counter affidavit is accepted by this Court.

7. Holding respondent No.1 bound by the aforesaid undertaking, the present Civil Appeal is disposed of.

8. Pending application(s), if any, shall stand disposed of.

.....J.
(MANMOHAN)

.....J.
(K. VINOD CHANDRAN)

NEW DELHI;
JULY 01, 2026

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

CIVIL APPEAL NO(S). 5675/2010

KIRAN AGARWAL

Appellant(s)

VERSUS

HIGH COURT OF HIMACHAL PRADESH

Respondent(s)

Date : 01-07-2026 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANMOHAN
HON'BLE MR. JUSTICE K. VINOD CHANDRAN
(PARTIAL COURT WORKING DAY BENCH)

For Appellant(s) : Petitioner-in-person (N/P)

For Respondent(s) : Ms. Radhika Gautam, AOR

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

1. The Civil Appeal is disposed of in terms of the signed order.
2. Pending application(s), if any, shall stand disposed of.

(RADHA SHARMA)
ASTT. REGISTRAR-cum-PS

(Signed order is placed on the file)

(DIVYA BABBAR)
COURT MASTER (NSH)