

- 2 Responding to the above submission, Mr P S Patwalia, learned senior counsel appearing on behalf of the petitioners submits that some of the petitioners took the benefit of the interim order dated 27 April 2012 but all of them have retired from service. Learned counsel submits that in this view of the matter, it would be appropriate if the position as it obtains on the basis of the interim order is allowed to continue for the future.
- 3 Having heard the learned counsel, we are of the view that while on the one hand, monetary benefits which have been received by the petitioners in the past should not be recovered, the remaining aspects of the matter would still survive for consideration. In order to enable the Court to have a complete picture of the position, we direct the learned counsel appearing on behalf of the State to take instructions and apprise the Court on whether the respondents have also received promotions in the meantime. Learned counsel shall also clarify whether the petitioners would have been entitled to promotion in the normal course and if so, from what date, in the event that the impugned order of the High Court were to hold the field.
- 4 An affidavit shall be filed within three weeks from today.
- 5 List the Special Leave Petitions on 6 April 2021 along with SLP(C) No 25310/2013 and SLP(C) No 22674/2012.

(CHETAN KUMAR)
A.R. - cum - P.S.

(SAROJ KUMARI GAUR)
Court MasterQ