

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).20006/2006

(From the judgement and order dated 07/11/2006 in WP No. 2167/2006 of The HIGH COURT OF U.P AT LUCKNOW)

DGM, COMPONENT INDIAN TEL.INDUSTRY & ORS

Petitioner(s)

VERSUS

KAILASH NATH CHATURVEDI & ORS.

Respondent(s)

(With appln(s) for directions)

Date: 25/02/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Petitioner(s) Mr. Rakesh Dwivedi, Sr. Adv.  
Mr. Vishwajit Singh, Adv.  
Mr. Siddharth Sangal, Adv.  
Mr. Shantanu Krishna, Adv.

For Respondent(s) Mr. Arvind Kumar Shukla, Adv.  
For Mr. Irshad Ahmad, Adv.

UPON hearing counsel the Court made the following  
ORDER

Leave granted.

Heard learned counsel for the parties.  
The appeal is allowed in terms of the signed order.

(R.K.DHAWAN)  
COURT MASTER

(VEERA VERMA)  
COURT MASTER

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.1579 OF 2008

DGM, COMPONENT INDIAN TELEPHONE  
INDUSTRY & ORS.

...APPELLANTS.

VERSUS

KAILASH NATH CHATURVEDI & ORS.

...RESPONDENTS.

ORDER

Leave granted.

Heard learned counsel for the parties.

We are told that respondent no.1 has joined the place where he is transferred on 21.12.2006. Nothing, therefore survives in the matter. Transfer is an incidence of service. The order of the High Court interfering with the transfer is set aside.

The appeal is allowed accordingly.

However, the respondent would be at liberty to pursue his claim for arrears in accordance with law, in respect of the period he has not been paid salary i.e. from February to December, 2006. This observation is not, however, to be construed as recognizing or accepting his claims.

.....CJI  
(K.G. BALAKRISHNAN)

.....J  
(R.V. RAVEENDRAN)

NEW DELHI;  
FEBRUARY 25, 2008.