

ITEM NO.13

COURT NO.17

SECTION III-A

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 60556/2025

[Arising out of impugned final judgment and order dated 11-06-2024 in WPSB No. 320/2015 11-06-2024 in WPSB No. 321/2015 03-07-2025 in MCC No. 9355/2024 03-07-2025 in MCC No. 9356/2024 passed by the High Court of Uttarakhand at Nainital]

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

ARVIND KUMAR SRIVASTAVA & ORS.

Respondent(s)

IA No. 281318/2025 - CONDONATION OF DELAY IN FILING

Date : 12-12-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) :

Ms. Aishwarya Bhati, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Ms. Priyanka Tyagi, Adv.
Ms. Priyanka Das, Adv.
Ms. Shagun Thakur, Adv.
Mr. Digvijay Dam, Adv.

For Respondent(s) :

Mr. Vivek Singh, AOR
Ms. Saumya Saraswat, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Delay condoned
2. Learned ASG, Ms. Aishwarya Bhati, appearing for the petitioner(s) would submit that the Tribunal and the High Court has relied on the judgment rendered in the matter of Union of India (UOI) vs.

Raj Pal (2011 SCC Online P&H 14580). However, in the year 2020, judgment rendered in the case of Union of India and Others vs. M.V.Mohanan Nair, it was directed that the judgment in the case of Raj Pal (*supra*) shall not be treated as precedent.

2. Issue notice, returnable on 17.02.2026.

3. Mr. Vivek Singh, learned Advocate on Record has entered caveat and accepts notice for the respondent(s). Hence, service of notice to the respondent(s) is waived.

4. Counter affidavit be filed by the respondents in the meanwhile.

5. At this stage, learned counsel, who has entered caveat, submits that the impugned order has already been complied with. If that be the position, there is no question of proceeding against the Writ Petitioners for committing contempt of Court.

(NISHA KHULBEY)
SENIOR PERSONAL ASSISTANT

(CHETNA BALOONI)
COURT MASTER (NSH)