

ITEM NO.1

COURT NO.13

SECTION XI

S U P R E M E                      C O U R T   O F   I N D I A  
 RECORD OF PROCEEDINGS  
 IA 9/2013                      in CIVIL APPEAL NO. 2608 OF 2011

U.P.POWER CORP.LTD.

Appellant (s)

VERSUS

RAJESH KUMAR &amp; ORS.

Respondent(s)

(With appln(s) for impleadment and office report )

Date: 07/05/2014      This Appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA  
 HON'BLE MR. JUSTICE S.A. BOBDE

For Appellant(s)              Mr. Ashok K. Mahajan, Adv.

Applicant In Person

For Respondent(s)              Mr. Paras Kuhad, ASG  
 Mr. Jitin Chaturvedi, Adv.  
 Mr. Abhinav Mukherjee, Adv.  
 Mr. B.V. Balramdas, Adv.

Mr. Kumar Parimal, Adv.  
 Mr. Aniruddha P. Mayee, Adv.

Mrs Lalita Kaushik ,Adv

Mr. Harsh Vardhan Surana ,Adv

Mr. Rajesh Kumar, Adv.  
 Mr. R.K. Yadav, Adv.  
 Mr. Abhishth Kumar, Adv.

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

IA No. 9

This is an application for impleadment.

The

2

singular grievance of the applicant-in-person,              Mr.  
 Pradeep Kumar Trivedi is that despite the judgment  
 rendered in U.P. Power Corp. Ltd. Vs. Rajesh Kumar &  
 Ors., reported in (2012) 7 SCC 1, the persons who are  
 supposed to be reverted are continuing in respective  
 posts.

In the course of his arguments, Mr. Trivedi has

apprised us that he had preferred a writ petition no.

686/2010 before the High Court of Judicature at

Lucknow Bench and the Division Bench has passed the

following order:

"Petitioner in person placed before us a copy of order dated 14.03.2011 passed by Hon'ble the Apex Court in Special Leave to appeal (Civil) No. 3916 of 2011 (U.P. Power Corporation Ltd. Vs. Rajesh Kumar & Others), which reads as under:-

"Learned senior counsel appearing for the parties submit that Service is complete in these matters and all the parties represented through counsel.

Delay condoned.

Leave granted in all matters except SLP Nos....(CC) Nos. 4420, 4421, 4431, 5070.

Status quo to continue.

Counsel are permitted to file written submissions, if any.

List these matters in the 4th week of April, 2011.

Once the same question which is the subject matter of Special Leave Petition is involved in the instant writ petition, it would amount to over reaching that order, if we decide the matter independently without the leave of Hon'ble the Apex Court.

3

List the matter after Hon'ble the Apex Court decides the Special Leave Petition."

Mr. Trivedi has also put forth that though the judgment has been rendered by this Court, the writ petition in the High Court has not yet been dealt with. Regard being had to the aforesaid submission, we are inclined to request the High Court to dispose of the writ petition no. 686/2010 by end of August, 2014.

We reiterate at the cost of repetition that we have made such a request because the High Court had felt at one point of time that it should wait for the verdict of this Court in U.P. Power Corp. Ltd. Vs. Rajesh Kumar & Ors. (supra) and now the judgement has

been rendered, it is advisable that the High Court should deal with the matter.

With the aforesaid observation, the application is disposed of.

(NAVEEN KUMAR)  
COURT MASTER

(SNEH LATA SHARMA)  
COURT MASTER