

ITEM NO.6

Court 6 (Video Conferencing)

SECTION XI-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.10166/2020

(Arising out of impugned final judgment and order dated 29-10-2019 in OPKAT No.1472/2013 passed by the High Court of Kerala at Ernakulam)

THE EXECUTIVE ENGINEER (IRRIGATION) & ORS.

Petitioner(s)

VERSUS

M. RADHA & ANR.

Respondent(s)

(With appln.(s) for I.R. and IA No.67054/2020-CONDONATION OF DELAY IN FILING SLP)

Date : 16-10-2020 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDU MALHOTRA
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s)

Mr. C. K. Sasi, AOR

For Respondent(s)

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

- 1 Delay condoned.
- 2 We have heard the submissions of Mr C K Sasi, learned counsel appearing on behalf of the petitioners. We are not inclined to interfere with the impugned judgment and order of the High Court dated 29 October 2019, in the facts and circumstances of this case. The direction was issued by the High Court

taking a compassionate view of the age and position of the two widows, each of whom claims a right to receive pension. While we are not interfering in the peculiar facts and circumstances of the case, the judgment of the High Court shall not be treated as a precedent in any other case. We also direct that OS No 598/2015, pending before the Court of the Munsiff, shall be expedited and shall be decided within a period of one year from the date of receipt of a certified copy of this order.

- 3 The Special Leave Petition is disposed of.
- 4 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
AR-cum-PS

(SAROJ KUMARI GAUR)
BRANCH OFFICER