

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NOS. 844-853 OF 2018

SUNDER LAL AND ORS. ETC. APPELLANT(S)
VERSUS
STATE OF UTTAR PRADESH AND ORS. ETC. RESPONDENT(S)

with

SPECIAL LEAVE PETITION (CIVIL) NO. 15193 OF 2020

CIVIL APPEAL NOS. 894-897 OF 2019

CIVIL APPEAL NOS. 10407 OF 2018

CIVIL APPEAL NOS. 10217-10223 OF 2018

CIVIL APPEAL NOS. 5734-5739 OF 2018

CIVIL APPEAL NO. 2797 OF 2018

CIVIL APPEAL NO. 854 OF 2018

CIVIL APPEAL NOS. 11188-11192 OF 2018

CIVIL APPEAL NOS. 9991-9993 OF 2018

CIVIL APPEAL NO. 6010 OF 2018

CIVIL APPEAL NO. 9557 OF 2018

and

CIVIL APPEAL NO. 9867 OF 2018

O R D E R

We are not inclined to interfere with the impugned judgment,
which follows several judgments of this Court including *State of*

*Punjab & Others. vs. Jagjit Singh & Others.*¹

The appellants/petitioners will not be entitled to pay-scale(s) as per the directions issued by the learned single Judge in Writ Petition no. 3932/2004 and other connected matters, which petitions will be treated as dismissed.

It is pointed out that about 90% of the appellants/petitioners have retired. In view of the aforesaid, while we dismiss the present appeals and the special leave petition(s), we also deem it appropriate to direct that the respondent - State of Uttar Pradesh will not recover the excess payment, if any, already made to the appellants/petitioners. However, the respondent - State of Uttar Pradesh will be entitled to re-fix the pay-scale(s) and the pension of the appellants/petitioners in accordance with the pay-scale(s). Calculations/computation of the pay-scale(s) and pension will be communicated to the appellants/petitioners, who, if aggrieved by the calculations/computation, can make a representation to the Government of Uttar Pradesh. The said representation(s), if made, will be examined and decided in accordance with law.

This order will apply to the appellants/petitioners who have preferred the present appeals, the special leave petition, filed application for impleadment, and all others including those who may not have preferred any appeal/special leave petition/application for impleadment before this Court.

The civil appeals and the special leave petition(s) are dismissed in the aforesaid terms.

1 (2017) 1 SCC 148

Pending application(s), if any, shall stand disposed of.

.....J.
(SANJIV KHANNA)

.....J.
(M.M. SUNDRESH)

NEW DELHI;
May 02, 2023.

ITEM NO.21

COURT NO.7

SECTION III-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal Nos. 844-853/2018

SUNDER LAL AND ORS. ETC. APPELLANT(S)

VERSUS

STATE OF UTTAR PRADESH AND ORS. ETC. RESPONDENT(S)

(IA No. 19601/2021 - EXEMPTION FROM FILING O.T., IA No. 149489/2019 - EXEMPTION FROM FILING O.T., IA No. 19599/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 4638/2018 - PERMISSION TO FILE LENGTHY LIST OF DATES)

WITH

SLP(C) No. 15193/2020 (XI)

(IA No. 36324/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 36323/2019 - EXEMPTION FROM FILING O.T.)

C.A. Nos. 894-897/2019 (III-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 132836/2020)

C.A. No. 10407/2018 (III-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 174162/2019)

C.A. Nos. 10217-10223/2018 (III-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 137304/2018 and FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 137305/2018)

C.A. Nos. 5734-5739/2018 (III-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 138452/2019)

C.A. No. 2797/2018 (III-A)

(FOR IA No. 185455/2018 - CLARIFICATION/DIRECTION and IA No. 185456/2018 - EXEMPTION FROM FILING O.T.)

C.A. No. 854/2018 (III-A)

C.A. Nos. 11188-11192/2018 (III-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 133616/2019)

C.A. Nos. 9991-9993/2018 (III-A)

C.A. No. 6010/2018 (III-A)

C.A. No. 9557/2018 (III-A)

C.A. No. 9867/2018 (III-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 144923/2019)

Date : 02-05-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s)

Mr. Amit Anand Tiwari, Adv.
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Mr. S.R. Singh, Sr. Adv.
Mr. Sushant Kumar Yadav, Adv.
Mr. Prateek Yadav, Adv.
Mr. Ajay Yadav, Adv.
Mr. Gaurav Lomes, Adv.
Mr. Ankur Yadav, AOR
Mr. Syed Mohammad Muztaba, Adv.
Ms. Aneeta Yadav, Adv.
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For Respondent(s)

Mrs. Garima Prashad, Sr. Adv./A.A.G.
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Mr. Saurya Krishna, Adv.
Mr. Amit Sharma, Adv.
Ms. Pallavi Kumari, Adv.

Mr. Ajay Vikram Singh, AOR

Ms. Nandani Gupta, Adv.
Mr. Krishna Kumar, Adv.
Dr. (Mrs.) Vipin Gupta, AOR

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

The civil appeals and the special leave petition(s) are
dismissed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(DEEPAK GUGLANI)
AR-cum-PS

(MALEKAR NAGARAJ)
BRANCH OFFICER (NSH)

(signed order is placed on the file)