

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 10857 OF 2017
[@ SPECIAL LEAVE PETITION (C) NO. 15572 OF 2017 @ CC NO.9610/2017]

RAKESH KUMAR GARG

APPELLANT (S)

VERSUS

STATE OF UTTAR PRADESH & ORS.

RESPONDENT (S)

J U D G M E N T

KURIAN, J.

Delay condoned.

2. Leave granted.

3. The appellant approached this Court praying for continuance in service up to the age of 60 years, beyond the normal age of superannuation of 58 years, on the main ground that in New Okhla Industrial Development Authority (NOIDA) the State Government has permitted the officers to continue in service up to 60 years of age and the Regulations have been amended accordingly.

4. Mr. D.K. Singh, learned Additional Advocate General for the State of U.P. points out that as far as Gorakhpur Industrial Development Authority is concerned the State Government has declined permission for considering the proposal for continuance in service up to 60 years of age and amendment of its Regulation accordingly.

5. In that view of the matter, the appeal is disposed of, without prejudice to the liberty available to the appellant to challenge the order passed by the Government.

6. Needless to say that in case the order is so challenged, it will be considered on its own merits.

7. Pending applications, if any, shall stand disposed of.

8. There shall be no orders as to costs.

.....J.
[KURIAN JOSEPH]

.....J.
[R. BANUMATHI]

NEW DELHI;
AUGUST 24, 2017.

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

Petition(s) for Special Leave to Appeal (C).....CC No(s).
9610/2017

(Arising out of impugned final judgment and order dated 03-10-2016
in WA No. 32975/2016 passed by the High Court Of Judicature At
Allahabad)

RAKESH KUMAR GARG

PETITIONER(S)

VERSUS

STATE OF UTTAR PRADESH & ORS.

RESPONDENT(S)

(WITH APPLN(S) FOR CONDONATION OF DELAY IN FILING SLP-IA 1/2017)

Date : 24-08-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. Yashraj Singh Deora, AOR
Ms. Shreya A., Adv.
Ms. Sanjana S., Adv.

For Respondent(s) Mr. D.K. Singh, AAG, State of U.P.
Ms. Alka Sinha, Adv.
Mr. Anuvrat Sharma, Adv.
Ms. Komal Mundhra, Adv.
Mr. Saurabh Agrawal, Adv.

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

Delay condoned.

Leave granted.

The appeal is disposed of in terms of the signed judgment.

(NARENDRA PRASAD)
COURT MASTER

(RENU DIWAN)
ASST. REGISTRAR

(Signed "Non-Reportable" Judgment is placed on the file)