

ITEM NO.11

Court 4 (VC)

SECTION XI-A

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

Petition(s) for Special Leave to Appeal (C) No.7198/2020

(Arising out of impugned final judgment and order dated 10-03-2020 in WA No.369/2020 passed by the High Court of Kerala at Ernakulam)

THE INSTITUTE OF HUMAN RESOURCES DEVELOPMENT
(IHRD)

Petitioner(s)

VERSUS

RAJAN V & ANR.

Respondent(s)

(With appln.(s) for interim relief, exemption from filing c/c of the impugned judgment and exemption from filing affidavit)

Date : 10-08-2020 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Mr. Roy Abraham, Adv.
Mr. Akhil Abraham Roy, Adv.
Mr. Himinder Lal, AOR

For Respondent(s)

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

- 1 The Single Judge of the High Court, by an interim order, directed the petitioner to disburse twenty per cent of the arrears due under the recommendations of the Ninth Pay Commission to the first respondent, pending the disposal of the petition. This order of the learned Single Judge was affirmed in appeal by the Division Bench.

- 2 Mr Roy Abraham, learned counsel appearing on behalf of the petitioner states that the petitioner is an autonomous institute and has taken a decision that arrears to its retired employees shall be disbursed in four equal installments from this year, subject to the availability of funds. Learned counsel stated that though the amount involved insofar as the first respondent is concerned is relatively small, this may lead to a cascading effect.
- 3 In our view, it would be appropriate if the High Court takes up the writ petition for early disposal so that the issue is resolved finally. We request the learned Single Judge to take up the matter at the early convenience of the Court, subject to the exigencies of the work. We are not entertaining the Special Leave Petition on merits as it is filed against an interlocutory order. However, we clarify by way of abundant caution that all the rights and contentions of the parties are left open to be urged before the High Court.
- 4 The Special Leave Petition is dismissed.
- 5 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
AR-cum-PS

(SAROJ KUMARI GAUR)
BRANCH OFFICER