

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

Diary No(s) . 13229/2017

(Arising out of impugned final judgment and order dated 06-09-2016 in WP No. 41/2016 passed by the High Court of Uttarakhand at Nainital)

STATE OF UTTARAKHAND

Petitioner(s)

VERSUS

DR. ATUL KUMAR SAXENA

Respondent(s)

(APPLN(S) FOR CONDONATION OF DELAY IN FILING SLP, EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, EXEMPTION FROM FILING O.T. AND CONDONATION OF DELAY IN REFILEING SLP)

Date : 24-07-2017 This petition was called on for hearing today.

CORAM :

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

For Petitioner(s) Mr. Rajiv Nanda, AOR

For Respondent(s)

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

Delay condoned.

The High Court has only followed the earlier case in granting the benefit of salary for the period, despite the fact that the respondent himself had given a bond otherwise.

Now that it is brought to our notice that the judgment that is relied upon has not been under challenge, we make it clear that the relied upon judgment and the judgment followed in this case are decided on their own facts and they shall not form a precedent for the High Court.

With the above observations, the special leave petition is dismissed.

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

(NARENDRA PRASAD)  
COURT MASTER (SH)

(RENU DIWAN)  
ASST. REGISTRAR