

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.2723-2724 OF 2020  
(Arising out of SLP (Civil) Nos.8195-8196 of 2020  
Arising out of Diary No.1503 of 2020)

THE CHAIRMAN, LIFE INSURANCE CORPORATION OF INDIA,  
MUMBAI & ANOTHER

Appellants

VERSUS

SARASWATHI GOPAKUMAR & ANR.

Respondents

O R D E R

Delay condoned.

Issue notice.

Learned Advocate appearing for the contesting party/respondent  
No.1 on caveat accepts notice.

With the consent of the learned counsel appearing for the  
parties, the matter is taken up for final disposal.

We have heard Mr. R. Venkataramani, learned Senior Advocate  
for the appellants and Ms. Pushpila Bisht, learned Advocate for the  
respondent.

Leave granted.

While disposing of the LPA, the Division Bench of the High

Court observed as under:

"The LIC, hence would consider the petitioner, on the basis of the ACR assessments for the years starting from 2014 and if it falls short of the five years as taken in the case of the successful officers, the assessments shall be telescoped to five years for the purpose of effective assessment of comparative merit. If the assessment so made finds her at par with any of the successful candidates, she shall be granted all consequential benefits in the post from the date on which the others were appointed and her emoluments paid for the period as also consequential fixation carried out from the date of her promotion in 2018. This shall be done without reference to the available post in the cadre of Senior Divisional Manager, since it was a necessary consequence of the impugned judgment; the appeal against which, to that extent, has been rejected. We also direct that the comparative assessment so done for 2017 be furnished to the petitioner with full details of the assessments of ACRs of all successful officers."

(Emphasis added)

Mr. R. Venkataramani, learned Senior Advocate relied upon the decision of this Court in *Pankaj Prakash v. United India Insurance Co. Ltd. & Another*, Civil Appeal Nos.5340-5341 of 2019, especially paragraphs 14 and 15 of the decision and submitted that the Division Bench of the High Court not only directed the appellants to consider the representation but also directed that after considering the representation, the comparative assessment done for the year 2017 with full details of the assessments of ACRs of all successful officers shall also be furnished to the respondent No.1.

In our view, the High Court ought not to have directed furnishing of the comparative assessment done for the year 2017 with full details of the assessments of ACRs of all successful officers. We, therefore, direct that the last sentence i.e. underlined portion from the directions issued by the High Court shall stand deleted.

Rest of the directions issued by the High Court are kept intact.

The appeals stand allowed to the aforesaid extent. No costs.

.....J.  
[UDAY UMESH LALIT]

.....J.  
[MOHAN M. SHANTANAGODAR]

.....J.  
[VINEET SARAN]

NEW DELHI;  
JULY 9, 2020

