

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(s). 6570/2018

(Arising out of impugned judgment and order dated 28-02-2017 in CWJC No. 6398/2016 passed by the High Court of Judicature at Patna)

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

SURENDRA KUMAR

Respondent(s)

WITH

SLP(C) No. 4141-4152/2022 (XI-A)
(FOR ADMISSION and I.R.)

SLP(C) No. 20906/2019 (XI)

SLP(C) No. 831/2020 (IV-C)

SLP(C) No. 18785/2018 (XVI)

Diary No(s). 21735/2020 (XI)
(FOR STAY APPLICATION ON IA 165342/2022
IA No. 111543/2020 - CONDONATION OF DELAY IN FILING
IA No. 165342/2022 - STAY APPLICATION)SLP(C) No. 871/2021 (XI)
(IA No. 192812/2022 - STAY APPLICATION)SLP(C) No. 3158/2021 (XVI)
(IA No. 20854/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

Date : 07-11-2023 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE SANJAY KAROL

For Parites

Mr. Amrish Kumar, AOR
Mr. Vikramjit Banerjee, A.S.G.
Mrs. Nidhi Khanna, Adv.
Mr. Akshay Amritanshu, Adv.
Mrs. Priyanka Das, Adv.
Mrs. Arunima Dwivedi, Adv.
Mr. Veer Vikrant Singh, Adv.

Mr. B S Rajesh Agrajit, Adv.

Ms. Priya Nagar, Adv.
Mr. Aakash Sharma, Adv.
Mr. Shyamal Kumar, AOR

Mr. Aditya Singh, AOR
Mr. Shubham Singh, Adv.
Mr. Kamal Kishor, Adv.
Ms. Wani Aishwarya Maruti, Adv.
Mr. Aditya Kumar, Adv.

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Mrs. Pushpa Rajan, Adv.
Mr. Mahesh Kumar, Adv.
Mr. Ramesh Rawat, Adv.
Mr. Hitain Bajaj, Adv.
Mr. Rohit Bhardwaj, Adv.
Mr. Nand Ram, Adv.

Mr. Ajay Kumar Srivastava, AOR
Ms. Jyoti Tiwary, Adv.
Mr. Dharendra Kumar, Adv.

Ms. Jasmine Damkewala, AOR
Ms. Vaishali Sharma, Adv.

Mr. V. Chidambaresh, Sr. Adv.
Mr. Roy Abraham, Adv.
Ms. Reena Roy, Adv.
Ms. Seema Jain, Adv.
Mr. Adithya Koshy Roy, Adv.
Mr. Himinder Lal, AOR

Mr. P. S. Sudheer, AOR

UPON hearing the counsel the Court made the following

O R D E R

SLP (Civil) No. 20906 of 2019

The matter pertains to the Modified Assured Career Progression (MACP) Scheme.

From the record, it is evident that the Special Leave Petition arising out of CC No. 13421 of 2014 titled as "*Union of India & Ors. v. Sachchidananda Ram & Ors.*" preferred by the instant petitioners stand dismissed, though in *limine*, vide order dated 29.08.2014. The record further reveals that before the High Court,

such fact was brought to the notice of the Court as is also evident from paragraph 2 of the impugned order dated 23.05.2018 passed in Writ-A No. 12420 of 2018 titled as "*Union of India & 4 Ors. v. Mohammad Zafar Ahmad & 2 Ors.*". Significantly, the order passed in favour of the private parties i.e., the respondents herein by the Central Administrative Tribunal stood affirmed by the High Court accounting for not only its earlier judgment rendered in the case of similarly situated employees but also the dismissal of the Special Leave Petition preferred by the instant petitioner(s). Benefits of the Scheme were directed to be disbursed to the employees. Before the High Court, it was a common case of the parties that the case of the instant respondents was covered vide its earlier judgment rendered by the Court, as affirmed by this Court.

As such we find no reason to interfere with the present petition and the same is accordingly dismissed.

Needless to add, if the respondents have yet not received the monetary benefits in terms of the impugned judgment, the petitioners herein shall disburse the same positively within a period of four weeks from today.

Question of law, if any, is left open to be decided in an appropriate case.

We place on record our appreciation for Ms. Nidhi Khanna, learned counsel for her assistance rendered to the Court as also for vehemently putting across the view of the petitioners - Union of India.

Pending application(s), if any, shall stand closed.

SLP (Civil) No. 6570 of 2018, SLP (Civil) Nos. 4141-4152 of 2022, SLP (Civil) No. 831 of 2020, SLP (Civil) No. 18785 of 2018, Diary No. 21735 of 2020, SLP (Civil) No. 871 of 2021 and SLP (Civil) No. 3158 of 2021

Delay condoned.

In view of the order passed today i.e., on 07.11.2023 in SLP (Civil) No. 20906 of 2019, we see no reason to entertain these Special Leave Petitions. The Special Leave Petitions are accordingly dismissed.

Pending application(s), if any, shall stand closed.

(NITIN TALREJA)
COURT MASTER (SH)

(KAMLESH RAWAT)
ASSISTANT REGISTRAR