

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3187 OF 2019

UNION OF INDIA & ORS.

APPELLANT(S)

VERSUS

GHAMMAN SINGH

RESPONDENT(S)

WITH

CIVIL APPEAL NO.3190 OF 2019

CIVIL APPEAL NOS.3191-3193 OF2019

O R D E R

1. We have heard Mr. Rajan Kumar Chourasia and Ms. Rekha Pandey, learned counsel, appearing for the appellant(s) and Mr. Ankur Chhibber, learned counsel, appearing for the respondent(s).

2. The only issue which requires consideration is as to whether arrears of salary is to be paid to the respondent(s) or not.

3. The submission of the learned counsel for the appellant(s) is that in view of the policy laid down vide Circular dated 02.06.2012 and the subsequent corrigendum dated 14.08.2012, the only benefit extended to the respondent(s) was of relaxation and promotion with the specific rider that no back-wages would be paid.

4. It is, however, submitted that the judgment(s) and

order(s) of the High Court are subsequent to the aforesaid policy decisions and there was no challenge made to this policy decision by the respondent(s).

5. The submission is that in view of the above, the respondents would not be entitled to any arrears. However, they have already been extended benefit of promotion and notional fixation of their salary has also been made and, in case, there is any lacuna in fixation of their salary, the respondents would be free to point out, which will be duly addressed by the appellant(s) as per law.

6. In view of the above, these appeals succeed to the extent that the back-wages awarded by the High Court under the impugned judgment(s) and order(s) is set aside. Rest of the order is maintained.

7. The appeal(s) are disposed of in the above terms.

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

.....J
(VIKRAM NATH)

.....J
(SANJAY KUMAR)

NEW DELHI;
JUNE 07, 2023

ITEM NO.107

COURT NO.7

SECTION XIV-A

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

Civil Appeal No(s). 3187/2019

UNION OF INDIA & ORS.

Appellant(s)

VERSUS

GHAMMAN SINGH

Respondent(s)

WITH

C.A. No. 3190/2019 (XIV-A)

C.A. No. 3191-3193/2019 (XIV-A)

Date : 07-06-2023 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH
HON'BLE MR. JUSTICE SANJAY KUMAR
(VACATION BENCH)

For Appellant(s) Mr. Tushar Mehta, Solicitor General (NP)
Mr. K M Nataraj, A.S.G. (NP)
Mr. Rajan Kumar Chourasia, Adv.
Ms. Rekha Pandey, Adv.
Mr. Sharath Nambiar, Adv.
Mr. Arvind Kumar Sharma, AOR

For Respondent(s) Mr. Ankur Chhibber, Adv.
Mr. Anil Kumar Gautam, AOR

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

The appeal(s) are disposed of in terms of the
signed order.

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

(NEETU KHAJURIA)
ASTT. REGISTRAR-cum-PS

(RANJANA SHAILEY)
COURT MASTER

(Signed order is placed on the file.)