

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). 3764/2020

(Arising out of impugned final judgment and order dated 19-09-2019 in CWJC No. 6189/2017 passed by the High Court of Judicature at Patna)

HRIDAY NARAYAN PANDEY

Petitioner(s)

VERSUS

THE STATE OF BIHAR & ORS.

Respondent(s)

(I.R. and

IA No. 17397/2020 - EXEMPTION FROM FILING O.T.

IA No. 17398/2020 - PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 03-09-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE AJAY RASTOGI

HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s) Mr. Animesh Kumar, Adv.
Mr. Neeraj Shekhar, AOR
Mr. Murari Kumar, Adv.

For Respondent(s) Mr. Shivam Singh, Adv.
Mr. Harpreet Singh Gupta, Adv.
Mr. Manish Kumar, AOR

Mr. Pravin H. Parekh, Sr. Adv.

Mr. Sameer Parekh, Adv.

Mr. Kshatrshal Raj, Adv.

For M/S. Parekh & Co., AOR

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

Applications for exemption from filing official translation and permission to file lengthy list of dates are allowed.

On hearing learned counsel for the parties, it transpires that in the absence of any cross appeal, the only aspect which has to be examined is whether the infliction of the punishment of compulsory

retirement on the petitioner is sustainable or not. We are informed that the petitioner would retire in the natural course on 30th May, 2022.

We are also informed by the learned counsel for the petitioner that the impugned order qua the aspect of pension has still not been implemented.

Learned counsel for the respondent No.1/State is directed to ensure that the said part of the order is implemented within a period of four weeks from today and all the arrears be remitted to the petitioner within the same period of time making it clear that non-compliance will be under pain of contempt.

Insofar as the aspect of compulsory retirement is concerned, learned counsel appearing for the respondent-State submits that they have only implemented the order of the High Court and learned counsel for the High Court requests for four weeks' time to file counter affidavit.

Counter affidavit be accordingly filed within four weeks.

Rejoinder affidavit, if any, be filed within two weeks thereafter.

Learned counsel for the respondent-State does not wish to file any counter affidavit.

List on 28th October, 2020.

(ANITA MALHOTRA)
COURT MASTER

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR