

ITEM NO.1

COURT NO.14

SECTION X

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

Miscellaneous Application No. 987/2020 in Misc.Appn.D.No.4721/2020
in W.P.(C)No.32/2020

MANGILAL KAJODIA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and IA No.35296/2020-APPEAL AGAINST REGISTRARS ORDER
XV RULE 5)

Date : 14-12-2021 This application/petition was called on for
hearing today.

CORAM :

HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s)

Petitioner-in-person

For Respondent(s)

Mr. K.K.Venugopal, Ld.AG
Mr. R.Bala Subramanian Sr Adv.
Mr. Sachin Sharma Adv.
Mr. Gurmeet Singh Makker, AOR
Mr. Siddhant Kohli, Adv.

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

The miscellaneous application has been filed at the instance
of the petitioner-in-person for setting aside the order passed by
the Registrar dated 17.02.2020.

We have heard petitioner-in-person and Mr. K.K.Venugopal,
learned Attorney General for India. Taking note of the facts that
manifest from the judgment of this Court dated 08.01.2020 that the

petitioner-in-person served as a teacher for 26 years and was transferred by an order dated 06.05.2008.

Indisputedly he has not reported to duty in compliance of the order of transfer and his whereabouts for a long time was not known. However he approached this Court by filing a writ petition under Article 32 of the Constitution after nine years of the order of transfer being passed on 06.05.2008 which indisputedly was not complied with by him.

This Court examine the matter on merits and with the kind assistance of the learned Attorney General for India passed a judgment dated 08.01.2020 with a direction that the petitioner-in-person be made entitled for all notional benefits for the interregnum period until the passing of judgment by this Court and he was reinstated pursuant to which the petitioner joined service on 29.01.2020 and stood retired from service on attaining the age of superannuation on 31.08.2021.

It has been admitted by the petitioner that there is no future monetary loss caused to him and what he is entitled to get on his retirement has been paid to him by the respondent(s). His only grievance is that for the interregnum period of almost 12 years actual salary has not been paid to him.

This Court has taken note of his grievance and while commensurating in totality of the matter was of the view that as he has not served the institution during the interregnum period would not make him entitled for actual salary for the interregnum period in question and in the given circumstances protected all his future rights including salary and other allowances payable to him after

he has reported and joined service in compliance of the judgment of this Court.

After going through the contents of the present miscellaneous application and taking note of the submissions made, we find no reason/substance in the present miscellaneous application.

Accordingly, I.A.No.35296/2020 and the miscellaneous application stand dismissed.

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

(NIRMALA NEGI)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)