

ITEM NO.1501
(For Judgment)

COURT NO.4

SECTION XI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 6798 OF 2019 @
Special Leave to Appeal (C) No(s). 4371/2011

(Arising out of impugned final judgment and order dated 21-07-2009
in SA No. 811/2009 passed by the High Court of Judicature at
Allahabad

PREM SINGH

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

WITH

CIVIL APPEAL NO. 6804 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO.5775 OF 2018)

CIVIL APPEAL NOS. 6799-6803 OF 2019
(@ SPECIAL LEAVE PETITION (C) NOS.613-617 OF 2018)

CIVIL APPEAL NOS. 6938-6942 OF 2019
(@ SPECIAL LEAVE PETITION (C) NOS. 21252-21256 OF 2019
(DIARY NO(S).11803 OF 2018)

MA NO.1541 OF 2018 IN S.L.P. (C) NO.19310 OF 2017

MA NO.1542 OF 2018 IN S.L.P. (C) NO.19234 OF 2017

MA NO.1544 OF 2018 IN S.L.P. (C) NO.19346 OF 2017)

MA NO.1545 OF 2018 IN S.L.P. (C) NO.19350 OF 2017)

MA NO.1546 OF 2018 IN S.L.P. (C) NO.19740 OF 2017

MA NO.1543 OF 2018 IN S.L.P. (C) NO.19297 OF 2017

CIVIL APPEAL NO. 6805 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO.18754 OF 2018)

CIVIL APPEAL NO. 6806 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO.25706 OF 2018)

CIVIL APPEAL NO. 6937 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO. 21250 OF 2019
(DIARY NO(S).32599 OF 2018)

CIVIL APPEAL NO. 6943 OF 2019

(@ SPECIAL LEAVE PETITION (C) NO. 21262 OF 2019
(DIARY NO(S).35336 OF 2018)

CIVIL APPEAL NO. 6810 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO.30460 OF 2018)

CIVIL APPEAL NO. 6944 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO. 21265 OF 2019
(DIARY NO(S).36218 OF 2018)

CIVIL APPEAL NO. 6945 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO. 21266 OF 2019
(DIARY NO(S).36406 OF 2018)

CIVIL APPEAL NO. 6808 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO.29893 OF 2018)

CIVIL APPEAL NO. 6809 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO.30196 OF 2018)

CIVIL APPEAL NO. 6946 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO. 21267 OF 2019
(DIARY NO(S).38274 OF 2018)

CIVIL APPEAL NO. 6825 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO.508 OF 2019)

CIVIL APPEAL NO. 6947 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO. 21268 OF 2019
(DIARY NO(S).38286 OF 2018)

CIVIL APPEAL NO. 6948 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO. 21269 OF 2019
(DIARY NO(S).38388 OF 2018)

CIVIL APPEAL NO. 6949 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO. 21270 OF 2019
(DIARY NO(S).38391 OF 2018)

CIVIL APPEAL NO. 6811 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO.30461 OF 2018)

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(@ SPECIAL LEAVE PETITION (C) NO.30462 OF 2018)

CIVIL APPEAL NO. 6807 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO.29567 OF 2018)

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(DIARY NO(S).39346 OF 2018)

CIVIL APPEAL NO. 6813 OF 2019

(@ SPECIAL LEAVE PETITION (C) NO.30979 OF 2018)

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(@ SPECIAL LEAVE PETITION (C) NO. 21272 OF 2019
(DIARY NO(S).40382 OF 2018)

CIVIL APPEAL NO. 6952 OF 2019

(@ SPECIAL LEAVE PETITION (C) NO. 21273 OF 2019
(DIARY NO(S).40385 OF 2018)

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(@ SPECIAL LEAVE PETITION (C) NO. 21274 OF 2019
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(@ SPECIAL LEAVE PETITION (C) NO. 21275 OF 2019
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(@ SPECIAL LEAVE PETITION (C) NO. 21276 OF 2019
(DIARY NO(S).40396 OF 2018)

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(@ SPECIAL LEAVE PETITION (C) NO. 21279 OF 2019
(DIARY NO(S).40487 OF 2018)

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(@ SPECIAL LEAVE PETITION (C) NO. 21280 OF 2019
(DIARY NO(S).40493 OF 2018)

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(DIARY NO(S).41600 OF 2018)

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(DIARY NO(S).41798 OF 2018)

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(DIARY NO(S).41808 OF 2018)

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(@ SPECIAL LEAVE PETITION (C) NOS.15421-15423 OF 2019)

CIVIL APPEAL NO. 6906 OF 2019
(@ SPECIAL LEAVE PETITION (C) NO.14497 OF 2019)

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CIVIL APPEAL NO. 6922 OF 2019

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CIVIL APPEAL NO. 6931 OF 2019

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CIVIL APPEAL NO. 6932 OF 2019

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CIVIL APPEAL NO. 6926 OF 2019

(@ SPECIAL LEAVE PETITION (C) NO.15419 OF 2019)

Date : 02-09-2019 These matters were called on for pronouncement of judgment today.

Counsel for the parties

Mr. V. K. Shukla, Sr. Adv.
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Mr. Kamendra Mishra, AOR

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Mr. Varun Mishra, Adv.
Ms. Aparna Singh, Adv.
Mr. Kuldeep Rai, Adv.
Mr. Manohar Pratap, Adv.
Ms. Manju Jetley, Adv.

Ms. Vijay Lakshmi, Adv.
Mr. Anand Vardhan Maitreya, Adv.
Mr. Satish Kumar, AOR

Mr. Ajit Singh Pundir, AOR
Mr. Arijeet Singh, Adv.

Ms. Rachana Srivastava, Adv.
Mr. Umme S., Adv.
(Appearance slip not legible)

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Mr. Abhishek Singh, AOR

Mr. Ajay Vikram Singh, AOR
Ms. Priyanka Singh, Adv.
Mr. Kamlesh Anand, Adv.

Mr. Ankur Yadav, AOR
Mr. Aakash Kumar, Adv.

Mr. Mithilesh Kumar Singh, AOR
Mrs. Manju Singh, Adv.
Mr. Tarun Verma, Adv.

Mr. Atul Sharma, AOR
Mr. R. K. Pandey, Adv.

Mr. Mukesh K. Giri, Adv.

Mr. Harish Chandra Pant, Adv.
Mr. Shoaib Ahmad Khan, Adv.
Mr. Sandeep Garausa, Adv.
Mr. Anis Ahmed Khan, AOR

Mr. Anand Mishra, AOR
Mr. Amrendra Kumar Singh, Adv.

Mr. Ravindra S. Garia, AOR
Mr. Shashank Singh, Adv.

Mrs. Rachna Gupta, AOR

Mr. Mukesh Kumar Sharma, AOR

Ms. Vanshaja Shukla, AOR

Mr. Dinesh Kumar Garg, AOR
Mr. Abhishek Garg, Adv.
Mr. Dhananjay Garg, Adv.
Mr. Deepak Mishra, Adv.
Mr. R.P. Bansal, Adv.

Mr. Rameshwar Prasad Goyal, AOR

Ms. Rachana Srivastava, AOR

Mr. Sudarshan Singh Rawat, AOR

Ms. Namita Choudhary, AOR
Ms. Srishti Khurana, Adv.
Mr. Vikas Negi, Adv.

Mr. Jaswant Singh Rawat, AOR
Mr. Vikas Negi, Adv.

Ms. Manju Jetley, AOR

Ms. Preeti Singh, AOR

Mr. Himanshu Tyagi, AOR

Mr. Farrukh Rasheed, AOR

Ms. Anisha Upadhyay, AOR

Mr. B. K. Pal, AOR

Mr. S. K. Verma, AOR

Mr. Sanjeev Malhotra, AOR

Mr. S. R. Setia, AOR

Mr. Ardhendumauli Kumar Prasad, AOR

Hon'ble Mr. Justice Arun Mishra pronounced the judgment of the Bench comprising His Lordship, Hon'ble Mr. Justice S. Abdul Nazeer and Hon'ble Mr. Justice M.R. Shah.

Delay condoned. Abatement, if any, is set aside.

Applications for impleadment/intervention/substitution are allowed.

Applications for deleting the name of petitioner(s)/respondent(s) are allowed.

Leave granted.

The operative portion of the Judgment is reproduced hereunder :-

"36. In view of reading down Rule 3(8) of the U.P. Retirement Benefits Rules, 1961, we hold that services rendered in the work-charged establishment shall be treated as qualifying service under the aforesaid rule for grant of pension. The arrears of pension shall be confined to three years only before the date of the order. Let the admissible benefits be paid accordingly within three months. Resultantly, the appeals filed by the employees are allowed and filed by the State are dismissed.

37. All pending interlocutory

applications and miscellaneous applications, if any, are disposed of."

**(NARENDRA PRASAD)
COURT MASTER**

**(JAGDISH CHANDER)
COURT MASTER**

(Signed "Reportable" judgment is placed on the file)