

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

I.A. NOS. 3-4/ IN
CIVIL APPEAL NOS. 79-82 OF 2012

CDR. A.U. TAYYABA & ORS.

Appellant (s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(for directions and office report)

WITH

I.A. NOS. 4-5/2012....IN
CIVIL APPEAL NOS. 83-84 OF 2012
(for directions and office report)

Date: 20/02/2013 These IAs were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE J. CHELAMESWAR
HON'BLE MR. JUSTICE MADAN B. LOKUR

For Appellant(s) Mr. P.S. Narasimha, Sr. Adv.

Mr. Sridhar Potaraju, Adv.

Mr. Sudhansu Pandey, Adv.

Mr G. Gangmei Adv.

For Respondent(s)

Mr. Paras Kuhad, ASG

Mr. Balasubramaniam, Adv.

Mr. S. Sadasiva Reddy, Adv.

Ms. Sunita Rani Singh, Adv. for

Mr. B.V. Balaram Das, Adv.

UPON hearing counsel the Court made the following

O R D E R

After arguing for some time, Mr. Paras Kuhad, learned Additional Solicitor General for the respondents submitted that in the peculiar facts and circumstances of the case, subject to the final decision in the Civil Appeals, I.A. Nos. 3-4 of 2012 in Civil Appeal Nos. 79-82 of 2012 and I.A. Nos. 4-5 of 2012 in Civil Appeal Nos. 83-84 of 2012 may be granted in terms of prayer (a). He, however, submitted that the interim order may be made conditional upon applicants satisfying the criterion laid down by the respondents and subject to their suitability and fitness according to the H.R. Policy, 2007.

2. The submission of Mr. Paras Kuhad, learned Additional Solicitor General is fair and reasonable.

3. I.A. Nos. 3-4 of 2012 in Civil Appeal Nos. 79-82 of 2012 and I.A. Nos. 4-5 of 2012 in Civil Appeal Nos. 83-84 of 2012 are granted in terms of prayer (a) subject to the following conditions:

i) The reinstatement of the applicants shall be subject to the final outcome in the Civil Appeals.

(ii) The applicants shall not claim benefit of the period from retirement to reinstatement for the purpose of pay, seniority and promotion.

(iii) The reinstatement shall be made of those applicants who are found suitable and fit in accordance with the H.R. Policy, 2007 and who meet the requisite criteria.

| (Pardeep Kumar)
| Court Master

| | (Renu Diwan)
| | Court Master

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