

S U P R E M E C O U R T O F I N D I A
 RECORD OF PROCEEDINGS
 IA No.1 IN CIVIL APPEAL NO. 5441 OF 2008

STATE OF HARYANA & ANR.

Appellant (s)

VERSUS

S.M.ACHARYA

Respondent(s)

(With appln(s) for vacating stay and office report)

Date: 01/04/2013 This I.A.was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
 HON'BLE MR JUSTICE KURIAN JOSEPH

For Appellant(s) Mr.Narender Hooda, Sr.AAG
 Mr.Kamal Mohan Gupta, Adv.
 Ms. Naresh Bakshi, Adv.

For Respondent(s) Mr.Ajay Jain, Adv.
 Mr. Jinendra Jain, Adv.

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

This is an application by the respondent in the civil appeal for vacating interim order dated 01.09.2008.

We have heard Shri Ajay Jain, learned counsel for the applicant-respondent and Shri Narender Hooda, Senior Additional Advocate General for the State of Haryana and carefully perused the record.

The High Court had allowed the writ petition filed by the applicant-respondent and directed the appellants herein to give him the benefit of pension on the premise that he had given an undertaking to the department to refund the Management's contribution of the Provident Fund.

While granting leave on 01.09.2008, this Court stayed the order passed by the High Court apparently because it felt satisfied that the Provident Fund account of the applicant-respondent had not been continued after his appointment in the new college. Therefore, we do not find any justification whatsoever to vacate the interim order, which is made absolute to last till the disposal of the appeal.

The application is disposed of in the manner indicated above.

(Satish K.Yadav)
 Court Master

(Phoolan Wati Arora)
 Court Master