

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO(S). 5322/2005

THE ACCOUNTANT GENERAL, M.P. ...APPELLANT(S)

VERSUS

S.K.DUBEY & ANR. ...RESPONDENT(S)

ORDER

1. The matter has been referred to a larger Bench on account of difference/conflicts of opinion between two learned judges of this Court while deciding Civil Appeal No.5322 of 2005.

2. The High Court Judges (Salaries and Conditions of Service) Act, 1954 which has been amended, particularly Section 14A thereof, adequately takes care of the grievance(s) of the respondent inasmuch as he will now be entitled to full pension with effect from 1st April, 2004. Insofar as the preceding period of time is concerned, the reference order which has directed that no recovery will be made for such payments as already made would adequately protect the respondent if we are to continue with the said

order. We order accordingly, namely, that there will be no recovery from the respondent.

3. The civil appeal shall stand closed in terms of the above.

.....,CJI.
(RANJAN GOGOI)

.....,J.
(DEEPAK GUPTA)

.....,J.
(SANJIV KHANNA)

NEW DELHI
JANUARY 30, 2019

ITEM NO.101

COURT NO.1

SECTION IV-A

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

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VERSUS

S.K.DUBEY & ANR.

RESPONDENT(S)

Date : 30-01-2019 This appeal was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE DEEPAK GUPTA
HON'BLE MR. JUSTICE SANJIV KHANNA

For Appellant(s)

Mr. A.N.S. Nadkarni, ASG
Mr. Rupesh Kumar, Adv.
Mr. A.K. Srivastava, Adv.
Mrs. Sunita Sharma, Adv.
Mr. Chiranjhan Chauhan, Adv.
Mrs. Anil Katiyar, AOR

For Respondent(s)

Mrs. Vibha Datta Makhija, Sr. Adv.
Mr. Akshat Shrivastava, AOR
Mr. Arun Shrivastava, Adv.
Mr. Yogesh Tiwari, Adv.
Mr. Umesh Chourasia, Adv.
Ms. Pooja Shrivastava, Adv.
For Ms. Manjeet Kirpal, AOR [N/P]

Mr. Harsh Parashar, AOR
Mr. Aman Pandey, Adv.
Mr. Rahul Kaushik, Adv.

Mr. Rajesh Srivastava, AOR [N/P]

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

The appeal shall stand closed in terms of the signed order. Consequently, all pending applications shall stand disposed of.

[VINOD LAKHINA]

AR-cum-PS

[ANAND PRAKASH]

BRANCH OFFICER

[SIGNED ORDER IS PLACED ON THE FILE]