

ITEM NO.56

COURT NO.1

SECTION III-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

Civil Appeal No.3280/2011

PRABHU NATH PRASAD & ORS.

Appellant(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

WITH CONMT.PET.(C) No. 107/2016 In C.A. No. 9165-9172/2010
CONMT.PET.(C) No. 109/2016 In C.A. No. 9165-9172/2010
CONMT.PET.(C) No. 110/2016 In C.A. No. 9165-9172/2010
CONMT.PET.(C) No. 108/2016 In C.A. No. 9165-9172/2010
CONMT.PET.(C) D 1911/2017 In C.A. No. 10550/2011
CONMT.PET.(C) D 2097/2017 In C.A. No. 10450/2011
CONMT.PET.(C) D 2098/2017 In C.A. No. 10546/2011
CONMT.PET.(C) No. 712/2017 In C.A. No. 2460/2012
CONMT.PET.(C) No. 187/2016 In C.A. No. 10549/2011 (III-A)
CONMT.PET.(C) No. 210/2016 In C.A. No. 6152/2012
CONMT.PET.(C) No. 218/2016 In C.A. No. 8682/2012
CONMT.PET.(C) No. 202/2016 In C.A. No. 6155/2012
CONMT.PET.(C) D 7710/2016 In C.A. No. 6153/2012
CONMT.PET.(C) No. 201/2016 In C.A. No. 7838/2011
CONMT.PET.(C) No. 208-209/2016 In C.A. No. 6398-6403/2012
CONMT.PET.(C) No. 213/2016 In C.A. No. 991/2011
CONMT.PET.(C) No. 223/2016 In C.A. No. 6154/2012
CONMT.PET.(C) No. 225/2016 In C.A. No. 6157/2012
CONMT.PET.(C) No. 206/2016 In C.A. No. 7896/2012
CONMT.PET.(C) No. 212/2016 In C.A. No. 2151/2012
CONMT.PET.(C) No. 283/2016 In C.A. No. 1508/2013
CONMT.PET.(C) No. 200/2016 In C.A. No. 8517/2012
CONMT.PET.(C) No. 203/2016 In C.A. No. 6897/2012
CONMT.PET.(C) No. 219/2016 In C.A. No. 7864/2012
CONMT.PET.(C) No. 579/2016 In C.A. No. 10546/2011
CONMT.PET.(C) No. 578/2016 In C.A. No. 10550/2011
CONMT.PET.(C) No. 571/2016 In C.A. No. 10450/2011
CONMT.PET.(C) No. 563/2016 In C.A. No. 664/2013
CONMT.PET.(C) No. 226/2016 In C.A. No. 1507/2013
CONMT.PET.(C) No. 220/2016 In C.A. No. 7895/2012
CONMT.PET.(C) No. 494/2016 In C.A. No. 7868/2015
CONMT.PET.(C) No. 573/2016 In C.A. No. 7117/2011
CONMT.PET.(C) No. 399/2016 In C.A. No. 1507/2013
CONMT.PET.(C) No. 497/2016 In C.A. No. 2293/2011
CONMT.PET.(C) No. 619/2016 In C.A. No. 7894/2012
CONMT.PET.(C) No. 402-405/2016 In C.A. No. 6398-6403/2012
CONMT.PET.(C) No. 603/2016 In C.A. No. 7897/2012

CONMT.PET. (C) No. 787/2016 In C.A. No. 2152/2012
 CONMT.PET. (C) No. 616/2016 In C.A. No. 7896/2012
 CONMT.PET. (C) No. 570/2016 In C.A. No. 295/2013
 CONMT.PET. (C) No. 507/2016 In C.A. No. 6175/2012
 CONMT.PET. (C) No. 324-325/2016 In C.A. No. 10177-10179/2010
 CONMT.PET. (C) No. 456/2016 In C.A. No. 3212/2011
 CONMT.PET. (C) No. 502/2016 In C.A. No. 10567/2010
 CONMT.PET. (C) No. 485/2016 In C.A. No. 5344/2013
 CONMT.PET. (C) No. 493/2016 In C.A. No. 2460/2012
 CONMT.PET. (C) No. 490/2016 In C.A. No. 620/2013
 CONMT.PET. (C) No. 326/2016 In C.A. No. 10177-10179/2010
 CONMT.PET. (C) No. 398/2016 In C.A. No. 9731/2011
 CONMT.PET. (C) No. 817/2016 In C.A. No. 208/2012
 CONMT.PET. (C) No. 455/2016 In C.A. No. 209/2012
 CONMT.PET. (C) No. 777/2016 In C.A. No. 8764/2012
 CONMT.PET. (C) No. 496/2016 In C.A. No. 201/2012
 CONMT.PET. (C) No. 361/2016 In C.A. No. 6716/2013
 CONMT.PET. (C) No. 457/2016 In C.A. No. 7867/2015
 CONMT.PET. (C) No. 360/2016 In C.A. No. 6716/2013
 CONMT.PET. (C) No. 488/2016 In C.A. No. 7109/2011
 CONMT.PET. (C) No. 318/2016 In C.A. No. 7838/2011
 CONMT.PET. (C) No. 870/2016 In C.A. No. 8687/2011
 CONMT.PET. (C) No. 516/2016 In C.A. No. 7861-7863/2012
 CONMT.PET. (C) No. 609/2016 In C.A. No. 6398-6403/2012
 CONMT.PET. (C) No. 506/2016 In C.A. No. 7893/2012
 CONMT.PET. (C) No. 495/2016 In C.A. No. 7868/2015
 CONMT.PET. (C) No. 543/2016 In C.A. No. 2151/2012
 CONMT.PET. (C) No. 517/2016 In C.A. No. 8764/2012
 CONMT.PET. (C) No. 610/2016 In C.A. No. 6398-6403/2012
 CONMT.PET. (C) No. 508-510/2016 In C.A. No. 311-313/2013
 CONMT.PET. (C) No. 618/2016 In C.A. No. 7109/2011
 C.A. No. 318/2013 (III-A)
 C.A. No. 442/2013 (III-A)
 C.A. No. 445/2013 (III-A)
 CONMT.PET. (C) No. 930/2016 In C.A. No. 9165-9172/2010 ()
 CONMT.PET. (C) No. 931/2016 In C.A. No. 9165-9172/2010 ()
 C.A. No. 443/2013 (III-A)
 C.A. No. 316/2013 (III-A)
 C.A. No. 446/2013 (III-A)
 C.A. No. 299/2013 (III-A)
 CONMT.PET. (C) D 35704/2016 In C.A. No. 208/2012 ()
 CONMT.PET. (C) No. 838/2016 In C.A. No. 10688/2011 ()
 CONMT.PET. (C) No. 833/2016 In C.A. No. 201/2012 ()
 C.A. No. 6332/2017 (III-A)
 CONMT.PET. (C) No. 929/2016 In C.A. No. 8335/2011 ()
 CONMT.PET. (C) No. 1/2017 In C.A. No. 8345/2011 ()
 SLP(C) No. 4399/2014 (XI)
 MA 987-994/2017 in C.A. No. 9165-9172/2010 (III-A)
 M.A. NO. 987-994/2017 HAS BEEN GENERATED AND CONVERTED FROM I.A.
 NO. 64-71 OF 2016 IN CA NO. 9165-9172 OF 2010))

Date : 22-09-2017 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Appellant(s)

Dr. Vinod Kumar Tewari, AOR
Mr. Sunil Kumar Jain, AOR
Mr. Balraj Dewan, AOR
Ms. Shalu Sharma, AOR
Mr. V. K. Sidharthan, AOR
Mr. Shankar Divate, AOR
Ms. Priya Puri, AOR
Mr. Ajay Kumar Srivastava, AOR
Mr. Dinesh Tiwari, Adv.
Mr. Santosh Kumar Tripathi, AOR
Mr. Rohit Singh, AOR
Mr. Anuvrat Sharma, AOR

For Respondent(s)

Ms. Aishwarya Bhati, AAG
Mr. Anuvrat Sharma, AOR
Gp. Capt. Karan Singh Bhati, AOR
Mr. Ravindra Kumar, AOR
Ms. Shalu Sharma, AOR
Mr. Pradeep Misra, AOR

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

It is submitted by Ms. Aishwarya Bhati, learned Additional Advocate General appearing for the State of U.P. that the order passed by this Court shall be religiously

complied with and for the said purpose eight weeks' time be granted. Prayer stands allowed. The compliance means that the financial benefits as ordered by this Court in civil appeals shall reach the appellants. Needless to say, the judgment is quite clear that the appellants shall get 40% back wages and also the retiral benefits as they are deemed to be continuing in service. Needless to say, it will be treated as notional in character because we have restricted the back wages. That apart, wherever the Court has stated with regard to the absorption that shall also be complied with in entirety within the said period.

Let the matter be listed on 27th November, 2017.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Assistant Registrar