

ITEM NO.3

COURT NO.4

SECTION XI

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

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S).
13661-13662/2015

(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 16-01-2015
IN WT NO. 20/2015 AND DATED 10-04-2015 IN RA NO. 77247/2015 PASSED
BY THE HIGH COURT OF JUDICATURE AT ALLAHABAD)

CANTONMENT BOARD, AGRA THROUGH CEO

PETITIONER(S)

VERSUS

UNION OF INDIA & ANR.

RESPONDENT(S)

(IA NO.70165/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

WITH

SLP(C) NO. 14186/2017 (XI)

SLP(C) NO. 13776-13777/2015 (XI)

(IA NO.70167/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

Date : 16-08-2017 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE NAVIN SINHA

For parties :

Mr. Vivek Tankha, Sr. Adv.

Mr. Anupam Mishra, AOR

Mr. V.J. Francis, Adv.

Mr. Shakti Dhar Dube, Adv.

Ms. Pooja Singh, Adv.

Mr. Sachin Pujari, Adv.

Mr. Subhasish Bhowmick, AOR

Mr. Goldy Goyal, Adv.

Mr. V. J. Francis, AOR

Mr. Shreekant N. Terdal, AOR

Ms. Pinky Anand, ASG

Ms. Shirin Khajuria, Adv.

Ms. Somya Rathore, Adv.

Mr. R.K. Rathore, Adv.
Mr. Raj Bahadur, Adv.

Ms. Anil Katiyar, AOR

Mr. Ranjit Kumar, SG
Mrs. Pinky Anand, ASG
Mr. Abhinav Mukerji, Adv.
Mr. Gurmeet Singh Makker, AOR

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

SLP(C) NOS.13661-13662/2015 AND SLP(C) NOS.13776-
13777/2015

1. We have perused the minutes of the meeting of the Mediation Committee held on 21st July, 2017 pursuant to the orders of this Court dated 21st October, 2016 and 20th March, 2017. On such perusal we find that the Mediation Committee has recorded the unanimous agreement of the parties in the following terms:

a) That the liability for payment of service charges by the Central Government properties to Cantonment Board is accepted in principle.

b) Both the Railways and department of posts shall make payment of service charges to Cantonment Board Agra as per the bills raised by the Board from the financial year 1982-1983 to 2014-2015.

c) With regard to payment of service charges from financial year

2015-2016 onwards, the matter shall be examined separately and recommendations as discussed in this meeting regarding clarification of policy and methodology of calculation shall be made to Ministry of Finance.

d) The Cantonment Board Agra should have a mechanism wherein it enters into an Agreement with the Dept. of Railways and Posts to finalize all issues pertaining to payment of service charges."

2. In view of the above, Special Leave Petition (Civil) Nos.13661-13662 of 2015 and Special Leave Petition (Civil) Nos.13776-13777 of 2015 are closed in terms of the aforesaid agreement recorded by the Mediation Committee with the further direction that the service charges due to the Cantonment Board Agra as per the bills raised by the Board for the financial year 1982-1983 to 2014-2015 be paid promptly and without any delay. All interim payments made shall, naturally, be adjusted from the amount due.

3. Special Leave Petition (Civil) Nos.13661-13662 of 2015 and Special Leave Petition (Civil) Nos.13776-13777 of 2015 shall stand disposed of in the above terms.

SLP(C) NO.14186/2017

1. It is brought to the notice of this Court that in respect of the issue of service charges payable to the Cantonment Board Agra a Mediation Committee has/had been constituted and on the basis of the report of the said Committee and consensus arrived at the connected Special Leave Petition (Civil) Nos.13661-13662 of 2015 and Special Leave Petition (Civil) Nos.13776-13777 of 2015 have been closed by order of this Court passed today i.e. 16th August, 2017. It is further stated at the bar that no Mediation Committee has been constituted to go into the similar dispute in respect of Cantonment Board Kanpur. We, therefore, request the same Mediation Committee that had gone into the matter in respect of the dispute pertaining to the Cantonment Board Agra to go into the present dispute qua Cantonment Board Kanpur and submit a report within three months from today.

2. List the matter after three months.

[VINOD LAKHINA]

AR-cum-PS

[ASHA SONI]

BRANCH OFFICER