

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGSPetition for Special Leave to Appeal (C) No.29232/2018

(Arising out of impugned final judgment and order dated 14-05-2018 in DBSAW No. 773/2018 passed by the High Court of Judicature for Rajasthan at Jodhpur)

THE STATE OF RAJASTHAN &amp; ANR.

Petitioner(s)

VERSUS

RAJASTHAN JUDICIAL EMPLOYEES ASSOCIATION &amp; ANR.

Respondent(s)

(IA No. 144232/2018 - EXEMPTION FROM FILING O.T. AND IA No. 144234/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 16-12-2019 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA  
HON'BLE MR. JUSTICE AJAY RASTOGI  
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s)

Dr. Manish Singhvi, Sr. Adv.  
Mr. Shailja Nanda Mishra, Adv.  
Mr. Arpit Parkash, Adv.  
Mr. Sandeep Kumar Jha, Adv.  
Mr. Milind Kumar, AOR

For Respondent(s)

Mr. Sanjay Parikh, Sr. Adv.  
Mr. Pukhrambam Ramesh Kumar, AOR  
Mr. Ritwick Parikh, Adv.  
Ms. Sanjana Srikumar, Adv.  
Mr. Karun Sharma, Adv.

Mr. Gopal Jha, AOR

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

Heard Dr. Manish Singhvi, learned Senior counsel appearing for the petitioners, Mr. Sanjay Parikh, learned Senior counsel appearing for Respondent No.1 and the learned counsel appearing for Respondent No.2.

During the course of hearing, learned Senior counsel appearing for the petitioners produced two copies of Orders dated 13-12-2018 issued by the Government of Rajasthan which are extracted below:-

I. "As per the recommendation of the Committee, the employees of Subordinate Courts are entitled to fixed medical allowance under Order dated 04.03.11 of Rs.100/- per month, is to be allowed in addition to the medical attendance including hospitalization and outdoor treatment they are presently getting.

This order will be effective from the date of issuance which is 13.12.2019."

II. "As per the recommendation of the Committee, the employees of Subordinate Courts are entitled to Robe allowance of Rs.4000/- to IV class employee, Driver, Process Server, Bailiffs annually instead of existing Robe Allowance of Rs.3600/- biennially and Rs.6000/- to Stenographers and Readers annually instead of existing Robe Allowance of Rs.4500 biennially.

This order will be effective from the date of issuance which is 13.12.2019."

A perusal of the above orders show that these orders are prospective in nature which is objected to by the learned Senior counsel appearing for Respondent No.1.

In view of the above, learned Senior counsel appearing for the parties are directed to place the material to show whether any State has extended the said benefits to its employees from the date of recommendations of the Shetty Commission i.e. 1.04.2003.

Let the matter be listed after eight weeks.

(VISHAL ANAND)  
COURT MASTER (SH)

(RAJ RANI NEGI)  
ASSISTANT REGISTRAR