

ITEM NO.46

COURT NO.1

SECTION XVII

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(s).2966/2011

UNION OF INDIA & ORS.

Appellant(s)

VERSUS

S.P.S.VAINS . & ORS.

Respondent(s)

(FOR STAY APPLICATION ON IA 2/2014)
WITH
CONMT.PET.(C) No.64/2009 In C.A. No.5566/2008 (IV)

Date : 08-12-2017 These matters were 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) Mr.Nidhesh Gupta, Sr.Adv.
In Conmt.Pet.(C) Mr.Tarun Gupta, Adv.
64/2009 & for Ms. S. Janani, AOR
RR in CA 2966/11 Mr.Puneet Varshney, Adv.
Ms. S. Janani, AOR

In CA 2966/11 Ms.Pinky Anand, ASG
& for RR in Mr.A.C.Pradhan, Adv.
CP 64/2009 Mr.Merusagar Samantary, Adv.
Mr.Bharat Singh, Adv.
Mr.Santosh Kumar, Adv.
Ms.Kirti Dua, Adv.
Mr.Hemant Arya, Adv.
Mr.Amit Mishra, Adv.
Ms.Lhingneivah, Adv.
Mr.M.K.Maroria, Adv.
Mrs. Anil Katiyar, AOR

Mr.Anukul Chandra Pradhan, Sr.Adv.
Mr.Rahul Baid, Adv.

For Respondent(s)

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

Mr.Nidhesh Gupta, learned senior counsel for the respondents in C.A.No.2966/2011 submits that the benefits that were conferred on the persons as per the judgment rendered by this Court in Union of India and another vs. SPS Vains(Retd.) & Ors., (2008) 9 SCC 125 qua the Sixth Pay Commission keeping in view the cut-off date dated 01.01.2006 have not been given to the respondents. Elaborating further, it is urged by the learned counsel that the benefits have been given exclusively to the petitioners who had approached the Tribunal though not to the categories who were entitled to the said benefit. Be it clarified, when a question of pay fixation comes, the same cannot be limited to the petitioners who have approached the Court.

Ms.Pinky Anand, learned Additional Solicitor General shall obtain instructions and if necessary shall file an affidavit of the competent authority within three weeks hence.

List in the second week of January, 2018.

(Chetan Kumar)
Court Master

(H.S.Parasher)
Assistant Registrar