

ITEM NO.12 Court 5 (Video Conferencing)

SECTION IV-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).6427-6428/2021

(Arising out of impugned final judgment and order dated 20-02-2020 in WP No. 2903/2010 and 01-09-2020 in WA No. 812/2020 passed by the High Court of M.P. Principal Seat at Jabalpur)

NAGAR PANCHAYAT, KYMORE

Petitioner(s)

VERSUS

HANUMAN PRASAD DWIVEDI

Respondent(s)

(WITH I.R. and IA No.56137/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.56139/2021-EXEMPTION FROM FILING O.T.)

Date : 04-05-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) Mr. Manoj Kumar Sahu, Adv.
Ms. Supriya Juneja, AOR
Mr. Sheikh F. Kalia, Adv

For Respondent(s)

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

1 Mr Manoj Kumar Sahu, learned counsel appearing on behalf of the petitioner, submits that:

- (i) The respondent, who was a Lower Division Clerk, was terminated in the year 1990;
- (ii) The writ petition filed by the respondent for challenging the order of termination was dismissed in 1994;

- (iii) As a result of the dismissal of the writ petition, the termination attained finality;
- (iv) In 2009, a direction was issued by the High Court for considering the representation of the respondent on the basis of which a fresh round of proceedings was initiated and ultimately by the impugned order, reinstatement has been granted with full back wages from the year 1990 and consequential benefits.
- 2 Issue notice, returnable in twelve weeks.
- 3 Dasti, in addition, is permitted.
- 4 Counter affidavit shall be filed within a period of six weeks from the date of service.
- 5 Pending further orders, there shall be a stay of the operation of the impugned judgments and orders of the High Court of Madhya Pradesh dated 20 February 2020 and 1 September 2020 in WP No 2903 of 2010 and WA No 812 of 2020 respectively.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER