

ITEM NO.33

COURT NO.3

SECTION XIV

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

SPECIAL LEAVE PETITION (CIVIL) Diary No. 19815/2023

(Arising out of impugned final judgment and order dated 11-01-2023 in WPC No. 12712/2021 passed by the High Court of Delhi at New Delhi)

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

PAWAN KUMAR & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.112475/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.112473/2023-CONDONATION OF DELAY IN FILING APPEAL and IA No.112474/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 05-07-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s)

Mr. Tushar Mehta, Solicitor General (N/P)
Mrs. Aishwarya Bhati, A.S.G.
Mr. R. Bala, Sr. Adv. (N/P)
Mrs. Bani Dikshit, Adv.
Mr. Apoorv Kurup, Adv.
Mr. Arvind Kumar Sharma, AOR

For Respondent(s)

Mr. Ankur Chhibber, Adv.
Mr. Anshuman Mehrotra, Adv.
Mr. Nikunj Arora, Adv.

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

Delay condoned.

Issue notice, returnable in the month of February 2024.

Notice is accepted by Mr. Ankur Chhibber, learned counsel, who is on caveat and appears for all the respondents, on advance notice.

In the meanwhile, there will be stay of operation of the impugned judgment to the extent it directs that the Old Pension Scheme would be applicable to the para-military forces. We, however, clarify that the petitioners shall abide by the Office Memorandum no. 57/05/2021-P&PW(B) dated 03.03.2023 issued by the Department of Pension and Pensioners' Welfare, Ministry of Personnel, Public Grievances and Pensions, and to that extent, the operation of the impugned judgment has not been stayed.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR