

ITEM NO.40

Court No.6

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 (Civil) No(s).9547/2007

(From the judgement and order dated 07/12/2004 in CMWP No. 20486/2001 & CMRA No. 43037/2005 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

HARISH CHANDRA YADAV

Petitioner(s)

VERSUS

**UNION OF INDIA & ANR.
(With office report)**

Respondent(s)

Date: 13/05/2009 This Petition was called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE CYRIAC JOSEPH**

For Petitioner(s)

**Mr. Pramod Kumar Yadav,Adv.
Mr. S.P. Sharma,Adv.
Mr. Rameshwar Prasad Goyal,Adv.**

For Respondent(s)

**Mr. Harish Chandra,Sr.Adv.
Mr. Kul Bharat,Adv.
Ms. Shalini Kumar,Adv.
Mr. A.K. Sharma,Adv.
Mr. D.S. Mahra,Adv.**

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

Leave granted. The appeal is disposed of in terms of the signed order.

**(Ganga Thakur)
P.S. to Registrar**

**(Juginder Kaur)
Court Master**

Signed order is placed on the file.

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. 3569 OF 2009
(Arising out of SLP(C) No.9547/07)

HARISH CHANDRA YADAV

...APPELLANT(S)

Versus

UNION OF INDIA & ANR.

..RESPONDENT (S)

ORDER

Leave granted.

This appeal is directed against the order of the Allahabad High Court, in writ petition No. 20486/01, challenging the order passed by the Central Administrative Tribunal, Allahabad, in O.A. No. 967/97, dismissing the appellant's Original Application for non-compliance of the Court's order regarding supplying of correct addresses of the respondents Nos. 1 & 2 before the Tribunal.

The High Court while considering the matter had also taken into consideration the submission which appears to have been made that the appellant had filed his claim petition after a lapse of 17 years which is disputed by the appellant. Furthermore, the High Court has also taken into consideration the counter affidavit filed in the writ petition where it had been indicated that the appellant had worked for 120 days in the year 1980.

The second part of the High Court's order was not really the subject matter of the proceedings before the High Court.

Having heard learned counsel for the respective parties, we set aside the orders passed by the High Court as well as the Tribunal and direct the Tribunal to consider the appellant's revisional application No.967/97 afresh, upon the appellant supplying the correct addresses of the respondents Nos. 1 and 2 within one month from the date of the communication of this order. In the event the correct addresses are not supplied within the said period, this order shall cease to be operative and the appeal shall stand dismissed.

The appeal is disposed of.

.....J.
(ALTAMAS KABIR)

.....J.
(CYRIAC JOSEPH)

New Delhi,
May 13,2009.

