

Sudhir Chandra Ray

v.

Union Of India

(Supreme Court Of India)

HON'BLE MR. JUSTICE RANGANATH MISRA HON'BLE MR. JUSTICE
M.M. DUTT

No. | 02-05-1988

(1) Special leave granted.

(2) Heard learned counsel for the appellant and learned Additional Solicitor General for the respondents. Ordinarily, a case of this type would not be entertained under Art.136 of the Constitution, but counsel has told us that the main reason for which the appellant was prepared to forgo promotion is that his wife is a heart patient and if he is transferred to a distant place like Trichurapalli in Tamilnadu, it would be difficult for him to have the treatment of his ailing wife. Keeping the facts found by the tribunal in the backdrop and contentions now reiterated before us, the learned Additional Solicitor General is prepared to make an exception. The appellant has already been relieved. He should report at the new place of posting in the promotional post within two weeks. The respondents agree that all his arrear dues as payable shall be cleared forthwith. The appellant shall be brought back to Ishapur within six months from the dates of his joining at Trichurapalli in the promotional post.

(3) The appeal is thus disposed of No costs.