

SUPREME COURT OF INDIA

Mool Shankar Singh

Vs.

Regional Manager, P. N. B.

C.A.No.1591 of 2004

(Arun Kumar and Brijesh Kumar JJ.)

12.03.2004

JUDGMENT

Arun Kumar, J.

1. Leave granted.
2. Heard the learned counsel for the parties.
3. In our view the High Court should have considered the grievance of the appellant on merits pertaining to his claim for higher special allowances. Merely because in the earlier writ petition the High Court had provided only for making representation, it would not mean that the matter is closed and the petitioner was not entitled to approach the High Court, later even though the representation was rejected and no relief was granted to him. The High Court never considered the case on merits.
4. We, therefore, allow the appeal and set aside the order passed by the High Court and remand the matter for consideration on merits.