

SUPREME COURT OF INDIA

Chief Administrator, H. Board, Haryana & Ors.

Vs.

Megh Raj

C.A.No.1282 of 2008

(Dr.Arijit Pasayat,J., C.K.Thakker and Lokeshwar Singh Panta,JJ.)

14.02.2008

ORDER

(Arising out of SLP(C) No.7727 of 2007)

1. Delay condoned.

2. Leave granted. Challenging an interim order passed by the Punjab and Haryana High Court in RSA No. 3190 of 2004, this appeal has been filed. The suit of the respondent was dismissed by the trial Court but the first appellate Court decreed it. The Second Appeal has been filed by the present appellants. By the impugned order, the learned Single Judge directed the stay of the direction for payment of arrears of scale Rs.950-Rs.1050 granted by the learned Additional District Judge. But from the date of judgment, i.e., from April, 2004, it was directed that the respondent (wrongly stated as appellant) would be granted salary in the scale of Rs. 950-1500/-. The C.Ms. were disposed of. Operation of the order has been stayed by this Court. Learned counsel for the appellants submitted that reading of one of the lines in the order, i.e., "The question of arrears would be determined in this RSA" creates confusion as to whether only that question has to be gone into. That does not appear to be the tenor of the order. We request the High Court to dispose of the Second Appeal as early as practicable. Till disposal of the Second Appeal, the interim order of stay passed by this Court on 20th April, 2007 shall continue to be operative. We make it clear that by making this direction, it shall not be construed that we have expressed any opinion on the merits of the matter. The appeal is, accordingly, disposed of. No costs.