

SUPREME COURT OF INDIA

Uttar Pradesh State Industrial Development Corporation Limited

Vs.

Arun Kumar Mishra

C.A.No.3831 of 2017

(Kurian Joseph and R.Banumathi,JJ.,)

07.03.2017

JUDGMENT

Kurian Joseph,J.,

SLP(Civil)No.1773 of 2017

1. Leave granted.
2. The appellants are before us, aggrieved by the interim order passed by the High Court dated 19.12.2016 passed in Writ Petition No.28986 of 2016.
3. As we propose to remit the matter to the writ court for final disposal, it is not proper or necessary to discuss the merits of the matter. Suffice to note that this Court after hearing the arguments extensively, on 21.02.2017, passed the following order:-

"It is not in dispute that Mr. A.K. Mishra, the petitioner in SLP(C) No.37981 of 2016, is in charge only in respect of nine revenue divisions as of now. As far as the remaining nine revenue divisions are concerned, without prejudice to the contentions available to either side, for the time being, the duties assigned to the 8th Respondent may be discharged either by the Managing Director or by the Joint Managing Director, until further orders. List on 01.03.2017 for further hearing."
4. The said order will stand substituted in the place of interim order passed by the High Court.
5. We request the High Court to dispose of the writ petition expeditiously and preferably within a period of three months from the date of receipt of a copy of this judgment.
6. Needless to say that the High Court will dispose of the writ petition untrammelled by any of the observations or findings rendered by the High Court in the interim order. All contentions of the parties are left open, including the contention on maintainability of the

writ petition, in view of the order passed by this Court in C.A. No.11151/2016 on 23.11.2016. Till the writ petition is disposed of, the interim order passed by this Court will continue to operate.

7. We also make it clear that we have not considered the merits of the matter and it is entirely for the High Court to dispose of the writ petition on its own merits.

8. The appeals are disposed of, as above.

9. Pending application(s), if any, shall stand disposed of.

10. There shall be no orders as to costs.