

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Civil Appeal No(s). 3149/2009

K.VISHWANATHAN & ORS.

Appellant(s)

VERSUS

GOVERNMENT OF INDIA AND ORS.

Respondent(s)

WITH

CONMT.PET.(C) No. 403/2012 In C.A. No. 3149/2009

CONMT.PET.(C) No. 253/2011 In C.A. No. 3149/2009

O R D E R

We have heard learned counsel for the parties and find that there could be some merit in the submissions made by the appellants as well as by the private respondents.

However, during the course of submissions, we found that the private respondents who had approached the Central Administrative Tribunal, Madras Bench were only 10 in number. All of them have retired several years ago. The most recent retirement having taken place in the year 2011.

Under these circumstances, it appears to us that even if the appeal is dismissed, it is only 10 persons who will get the

benefit of the impugned judgment of the Madras High Court. We say this in view of the fact that in so far as the cases filed by the employees of Telecom Department are concerned, there have been a large number of decisions given by several Benches of the Central Administrative Tribunal in favour of persons similarly situate as the appellants and none has been challenged in any High Court but has been accepted by the concerned parties.

Therefore, without going into the disputes raised, we make it clear that the 10 private respondents who were before the Central Administrative Tribunal, Madras Bench will be entitled to the benefit of the judgment of the Madras High Court in their favour that is to say monetary and other consequential benefits. The benefits may be given within 12 weeks from today.

We make it clear that in so far as the appellants are concerned, they will not be disturbed despite the impugned judgment of the High Court in view of the fact that they have been working in the present position for more than 20 years and also because the decisions in favour of other similarly situate category of employees have attained finality.

In view of the above, the civil appeal is disposed of. No order as to costs.

CONMT.PET.(C) No. 403/2012 In C.A. No. 3149/2009 and CONMT.PET.(C) No. 253/2011 In C.A. No. 3149/2009

The contempt petitions are disposed of in view of the above.

.....J.
[MADAN B. LOKUR]

.....J.
[DEEPAK GUPTA]

NEW DELHI;
April 12, 2018.

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

Civil Appeal No(s). 3149/2009

K.VISHWANATHAN & ORS.

Appellant(s)

VERSUS

GOVERNMENT OF INDIA AND ORS.

Respondent(s)

WITH

CONMT.PET.(C) No. 403/2012 In C.A. No. 3149/2009

CONMT.PET.(C) No. 253/2011 In C.A. No. 3149/2009

Date : 12-04-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Appellant(s)

Ms. Mahalakshmi Pavani, Sr. Adv.
Mr. G. Balaji, AOR
Mr. Tomy Chacko, Adv.

Mrs. Rani Chhabra, AOR

Mr. Arjun Garg, AOR

For Respondent(s)

Mrs. Rani Chhabra, AOR

R-1&2

Mr. A.K. Panda, Sr. Adv.
Mr. Kumar Parimal, Adv.
Ms. Sushma Verma, Adv.
Mr. Arvind Kumar Sharma, AOR

Ms. Anu Gupta, AOR

Mr. Rajnish Prasad, AOR

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

The civil appeal and contempt petitions are disposed of in terms of the signed order.

(MEENAKSHI KOHLI)
COURT MASTER

(SAROJ KUMARI GAUR)
COURT MASTER

[Signed order is placed on the file]