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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CONT.CAS(C) 243/2011

IC JOSHI & ORS

..... Petitioner

Through: Mr.G.D.Gupta, Sr.Advocate with
Mr.S.K.Gupta, Adv.

versus

SUNIL MITRA & ORS

..... Respondent

Through: Mr.R.V.Sinha, Adv.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
22.11.2011

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Mr.Sinha has tendered in Court the establishment order no. 215/2011. By this order the petitioner has been granted promotion from the date due to him and accordingly a seniority has been fixed. Mr.Gupta submits that the pay fixation has not been done and arrears etc. have not been paid. On the other hand, Mr.Sinha submits that a Special Leave Petition has been preferred to impugn the order dated 09.04.2010 passed in W.P.(C) No. 4005/1997 before the Supreme Court, which is now listed for 12.12.2011.

In view of the aforesaid, let the respondents fix the pay of the petitioner and pay the arrears in terms of the judgment of this Court within eight weeks from today. Since the Special Leave Petition is stated to be pending, unless the same is dismissed, the respondents shall fix the pay of the petitioner and pay the arrears without prejudice

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to rights and contentions of the respondents and without creating an equity in favour of the petitioner.

The petition stands disposed of.

Dasti.



VIPIN SANGHI, J

NOVEMBER 22, 2011
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