



## EAST COAST RAILWAY

मुख्य कार्मिक अधिकारी का कार्यालय/  
Office of the Chief Personnel Officer  
द्वितीय तल, - 751 017  
Rail Sadan, IInd Floor, Bhubaneswar-751 017

स्थापना क्रमांक/ Estt. Srl. No. 157/2016

Date: 29.11.2016

पूतरे/कार्मिक/आर/ECOR/Pers/R/Fixation.

सेवा मे,

सभी प्रमुख विभागाध्यक्षों/समन्वयक विभागाध्यक्षों, पू त रे/भुवनेश्वर  
मं.रे.प्र/व.मं.का.अधिकारी/मं.का.अधिकारी-खोरधारोड,वालातेरू, संबलपुर,  
मु;कारखाना प्रबंधक/कारखाना कार्मिक अधिकारी- मंचेश्वर, अतिरिक्त रजिस्ट्रार/रेल दावा अधिकरण,  
व.का अधिकारी(नि)/भुवनेश्वर  
महा सचिव/इकोर श्र. कां., महा सचिव/इकोर श्र. यू.,  
महा सचिव/एआई ओ बी सी आर ई ए, महा सचिव/ ए आई एस सी एस टी आर ई ए

**विषय /Sub: Court Cases relating to demand of Loco Inspectors for reckoning of pay element of 55% at the time of retirement.**

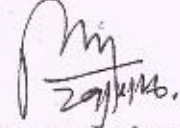
पूतरे के विषय क्रमांक/ECOR's Subject Serial No. FIX-7/2016

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उपर्युक्त विषय पर बोर्ड पत्र सं E(P&A)II-2016/RS-15 दिनांक 18.10.2016 की प्रतिलिपि सूचना, मार्गदर्शन एवं आवश्यक कार्रवाई हेतु अग्रेषित है।

A copy of the Board's letter No. E(P&A)II-2016/RS-15 dated 18.10.2016 on the above quoted subject is forwarded herewith for information, guidance and necessary action.

Encl: As above,

  
(Prem Kumar Lakavath)  
Dy.Chief Personnel Officer(IR&W)  
For Chief Personnel Officer

प्रतिलिपि प्रेषित/Copy to :

- 1) महाप्रबंधक के सचिव/पूर्व तट रेलवे, भुवनेश्वर
- 2) मुकाधि/मुकाधि(प्रशा.), उप म.प्र, अध्यक्ष(रेलवे भर्ती प्रकोष्ठ)
- 3) उप मुख्य प्रबंधक(सू.प्रौ), उप मुकाधि(औ.सं.एवं कल्याण), वकाधि(इंजी.)
- 4) वकाधि(मुख्या.), वकाधि(स्टाफ), वकाधि(राज. एवं न्याया.)
- 5) मुकाधि के निजी सचिव/सहा.कार्मिक अधि.(मुख्या.-1),सहा.कार्मिक अधि.(कल्याण),
- 6) सहा.कार्मिक अधि.(बिल), सहा.कार्मिक अधि.(भर्ती),

भारत सरकार GOVERNMENT OF INDIA  
रेल मंत्रालय MINISTRY OF RAILWAYS  
(रेलवे बोर्ड RAILWAY BOARD)

No.E(P&amp;A)II-2016/RS-15

New Delhi, dated 18.10.2016.

The General Managers(P),  
All Indian Railways,

**Sub :** Court Cases relating to demand of Loco Inspectors for reckoning of pay element of 55% at the time of retirement.

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Kindly refer to Board's letter No. E(P&A)II-2008/RS-32 dated 22-03-2016 on the above subject whereby it was informed that the Hon'ble Supreme Court had granted 'Stay Order', in the matter of UOI Vs. Krishan Lal Sharma. Also in Board's letter No. E(P&A)II/2016/RS-18 dated 22-07-2016, it was informed that in a similar case of UOI Vs. Sh. K. L. Mehndiratta and Ors., the Hon'ble Supreme Court of India had granted 'Stay Order'.

It is further informed that that a similar case of UOI Vs. Sh. Madan Lal Sharma and Ors. was last heard on 23-09-2016 by the Hon'ble Supreme Court and the following order pronounced:-

**"Delay condoned.**

**Leave granted.**

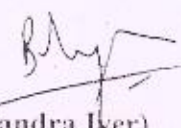
**Hearing expedited.**

**There shall be stay of the operation of the impugned judgement until further orders.**

**Tag with Civil Appeal no. 3110/2016"**

2. It is requested that if any similar issue is pending before any Court of Law on your Railway, the above position may be brought out to the notice of respective the Hon'ble Courts. A copy of the order referred to may be downloaded from the website of Hon'ble Supreme Court of India. It is also requested to take adequate care to defend similar cases, if any, as already requested vide Board's letters dated 22-03-2016 and 22-07-2016 referred to above. The status of such cases may be informed to this office from time to time.

DA: One.

  
(S. Balachandra Iyer)  
Director Pay Commission  
Railway Board  
Telefax No. 23370094

Copy to : FA&CAOs of Indian Railways.

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

Petition(s) for Special Leave to Appeal (C).....CC No(s).  
9209/2016

(Arising out of impugned final judgment and order dated 09/10/2015  
in RP No. 376/2015 09/10/2015 in WPC No. 3979/2008 passed by the  
High Court Of Delhi At New Delhi)

UNION OF INDIA AND ANR.

Petitioner(s)

VERSUS

MADAN LAL SHARMA AND ORS.

Respondent(s)

(with appln. (s) for c/delay in filing SLP and c/delay in refiling  
SLP and office report)

Date : 23/09/2016 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR  
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Petitioner(s) Mr. N.K. Kaul, ASG  
Mr. Harris Beeran, Adv.  
Mr. Bhuvan Mishra, Adv.  
Mr. Raj Bahadur, Adv.  
Mr. Shreekant N. Terdal, Adv.

For Respondent(s) Mr. Satpal Singh, Adv.

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

Delay condoned.

Leave granted.

There shall be stay of the operation of the  
impugned judgment until further orders.

Tag with Civil Appeal No. 3110/2016.

(DEEPAK MANSUKHANI)  
AR-CUM-PS

(RAJINDER KAUR)  
COURT MASTER

