

ITEM No. 45

COURT NO. 7

SECTION XIA

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
R.P.(C) No. 2561/2016 In SLP(C) No. 5587/2011

STATE OF ORISSA & ANR.

Petitioner(s)

VERSUS

SIDDHARTHA KUMAR SAHU & ANR.
(with appln. (s) for c/delay and office report)

Respondent(s)

Date : 20/03/2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s)

Mr. Tushar Mehta, ASG
Mr. S. P. Mishra, Sr. Adv.
Mr. Sibho Sankar Mishra, Adv.
Mr. Umakant Mishra, Adv.
Mr. R. K. Parashar, Adv.

As per

For Respondent(s)

Mr. Satvik Varma, Adv.
Ms. Ramni Taneja, Adv.
Mr. Lalitaksh Joshi, Adv.
Mr. Anil Shrivastav, Adv.

Mr. Bibhu Dutta Das, Adv.
Mr. Nilakanta Nayak, Adv.
Mr. Amit Yadav, Adv.
Mr. Kaushal M. Mishra, Adv.
Mr. Shishir Deshpande, Adv.

*20/3/17
US (Tarek)*

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

Delay condoned.

The Review Petition is disposed of in terms of the signed
order.

Pending interlocutory applications, if any, stand disposed
of.

(Jayant Kumar Arora)
Court Master

(Renu Diwan)
Assistant Registrar

*Attested
20/3/17*

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

REVIEW PETITION (C) No. 2561 OF 2016
IN

SPECIAL LEAVE PETITION No. 5587 OF 2011

STATE OF ORISSA & ANR.

Petitioner(s)

VERSUS

SIDDHARTHA KUMAR SAHU & ANR.

Respondent(s)

ORDER

Delay condoned.

This is a petition for review of Judgment dated 18.02.2011 passed by this Court in SLP (C) No. 5587 of 2011. The order dated 18.02.2011 reads as follows:-

"Delay condoned. Ms. Ramni Taneja, advocate represents the contesting respondent.

Heard learned counsel for the petitioners as well as the contesting respondent. It is not in dispute that the matter in issue is covered by the decision of this Court rendered in Civil Appeal No. 1272 of 2011 etc. dated 9th February, 2011.

In view of the same, this special leave petition stands disposed of on the same terms "

Supreme Court of India
Registrar
New Delhi

Mehta
AS
27/5/2016

It is not in dispute that there is a mistake as far as the Judgment, that is sought to be followed, is concerned. It is not the Judgment dated 9th February, 2011 passed in Civil Appeal No. 1272 of 2011, reported in (2011) 3 SCC 436, which rules the field, but the Judgment dated 17th March, 1998 passed in Civil Appeal Nos. 8256 of 1996 (6 connected matters), reported in (1998) 3 SCC 613.

Therefore, the order dated 18.02.2011 passed in SLP (C) No. 5587 of 2011 is reviewed. The petitioner(s) in SLP (C) No. 5587 of 2011 will be governed by the decision of this Court in *State of Orissa and Anr. Vs. Aswini Kumar Dash and Ors.*, reported in (1998) 3 SCC 613.

We also record the fair submission of the learned Additional Solicitor General that on account of huge delay, the State does not intend to disturb the benefits already granted to Respondent No. 1 - Dr. Siddhartha Kumar Sahu. Needless to say, the benefits due to Respondent No. 1, if any withheld, will be released within a period of four weeks from today.

In case, Dr. Sahu has a grievance for any other consequential benefits, he will be free to make an appropriate representation before the State

Attended
18/2/2011
AS

Government, in which case, the Government will look into the same and take appropriate action within six weeks from the date of making the representation.

With the above observations and directions, the Review Petition is disposed of.

.....J.
[KURIAN JOSEPH]

.....J.
[R. BANUMATHI]

New Delhi;
March 20, 2017.

*Allex
AD
21/3/2017*