

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

MISCELLANEOUS APPLICATION DIARY NO. 2400 OF 2024

IN

CIVIL APPEAL NO. 3933 OF 2023

UNION OF INDIA & ANR.

.....

APPLICANT(S)/
APPELLANT(S)

VERSUS

M. SIDDARAJ

.....

NON-APPLICANT(S)/
RESPONDENT(S)

with

MISCELLANEOUS APPLICATION DIARY NO. 35783 OF 2024

IN

CIVIL APPEAL NO. 3933 OF 2023

MISCELLANEOUS APPLICATION DIARY NO. 35785 OF 2024

IN

CIVIL APPEAL NO. 3933 OF 2023

MISCELLANEOUS APPLICATION DIARY NO. 35786 OF 2024

IN

CIVIL APPEAL NO. 3933 OF 2023

CONTEMPT PETITION (CIVIL) No. _____ /2025
(Diary No. 38437/2023)

IN

CIVIL APPEAL NO. 3933 OF 2023

CONTEMPT PETITION (CIVIL) No. _____ /2025
(Diary No. 38438/2023)

IN

CIVIL APPEAL NO. 3933 OF 2023

CONTEMPT PETITION (CIVIL) No. _____ /2025
(Diary No. 11336/2024)

IN

CIVIL APPEAL NO. 3933 OF 2023

and

CONTEMPT PETITION (CIVIL) No. _____ /2025
(Diary No. 20636/2024)

IN
CIVIL APPEAL NO. 3933 OF 2023

O R D E R

Miscellaneous Application Diary Nos. 2400/2024, 35783/2024, 35785/2024 and 35786/2024

Delay condoned.

We had passed the following interim order dated 06.09.2024, the operative portion of which reads as under:

“(a) The judgment dated 11.04.2023 will be given effect to in case of third parties from the date of the judgment, that is, the pension by taking into account one increment will be payable on and after 01.05.2023. Enhanced pension for the period prior to 31.04.2023 will not be paid.

(b) For persons who have filed writ petitions and succeeded, the directions given in the said judgment will operate as *res judicata*, and accordingly, an enhanced pension by taking one increment would have to be paid.

(c) The direction in (b) will not apply, where the judgment has not attained finality, and cases where an appeal has been preferred, or if filed, is entertained by the appellate court.

(d) In case any retired employee has filed any application for intervention/impleadment in Civil Appeal No. 3933/2023 or any other writ petition and a beneficial order has been passed, the enhanced pension by including one increment will be payable from the month in which the application for intervention/impleadment was filed.”

We are inclined to dispose of the present miscellaneous applications directing that Clauses (a), (b) and (c) of the order dated 06.09.2024 will be treated as final directions. We are, however, of the opinion that Clause (d) of the order dated 06.09.2024 requires modification which shall now read as under:

“(d) In case any retired employee filed an application for intervention/impleadment/writ petition/original application before the Central Administrative

Tribunal/High Courts/this Court, the enhanced pension by including one increment will be payable for the period of three years prior to the month in which the application for intervention/ impleadment/ writ petition/ original application was filed.”

Further, clause (d) will not apply to the retired government employee who filed a writ petition/original application or an application for intervention before the Central Administrative Tribunal/High Courts/this Court after the judgment in “*Union of India & Anr. v. M. Siddaraj*”¹, as in such cases, clause (a) will apply.

Recording the aforesaid, the miscellaneous applications are disposed of.

We, further, clarify that in case any excess payment has already been made, including arrears, such amount paid will not be recovered.

It will be open to any person aggrieved by non-compliance with the directions and the clarification of this Court, in the present order, to approach the concerned authorities in the first instance and, if required, the Administrative Tribunal or High Court, as per law.

Pending applications including all intervention/impleadment applications shall stand disposed of in terms of this order.

Contempt Petition (Civil) Diary Nos. 38437/2023, 38438/2023, 11336/2024 and 20636/2024

In view of the order passed today in the connected matters,

1 Dated 19.05.2023 in Civil Appeal No. 3933/2023, titled “Union of India & Anr. vs. M. Siddaraj” and other connected matters.

that is, M.A. Diary No. 2400 OF 2024 and other connected applications, the present contempt petitions will be treated as disposed of with liberty to the petitioners to take recourse to appropriate remedies, if required and necessary, as indicated *supra*. It goes without saying that the respondents shall examine the cases of the petitioners/ applicants in terms of the order passed today and comply with the same expeditiously.

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

.....CJI.
(SANJIV KHANNA)

.....J.
(SANJAY KUMAR)

NEW DELHI;
FEBRUARY 20, 2025.

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

MISCELLANEOUS APPLICATION DIARY NO. 2400 OF 2024
IN
CIVIL APPEAL NO. 3933 OF 2023

UNION OF INDIA & ANR.

.....

APPLICANT(S)/
APPELLANT(S)

VERSUS

M. SIDDARAJ

.....

NON-APPLICANT(S)/
RESPONDENT(S)

IA No. 11504/2024 - CLARIFICATION/DIRECTION
IA No. 11514/2024 - CONDONATION OF DELAY IN FILING
IA No. 152780/2024 - EXEMPTION FROM FILING O.T.
IA No. 138880/2024 - EXEMPTION FROM FILING O.T.
IA No. 156900/2024 - INTERVENTION APPLICATION
IA No. 172293/2024 - INTERVENTION/IMPLEADMENT
IA No. 155003/2024 - INTERVENTION/IMPLEADMENT

WITH

Diary No(s). 26733/2023 (IV-A)

IA No. 126464/2023 - APPROPRIATE ORDERS/DIRECTIONS

Diary No(s). 38437/2023 (IV-A)Diary No(s). 38438/2023 (IV-A)Diary No(s). 11336/2024 (IV-A)Diary No(s). 20636/2024 (IV-A)

SLP(C) No. 28778/2024 (XVI)
FOR ADMISSION

Diary No(s). 35783/2024 (IV-A)

IA No. 177118/2024 - INTERVENTION/IMPLEADMENT

Diary No(s). 35785/2024 (IV-A)

IA No. 177010/2024 - INTERVENTION/IMPLEADMENT

Diary No(s). 35786/2024 (IV-A)

IA No. 176799/2024 - APPROPRIATE ORDERS/DIRECTIONS

Diary No(s). 1997/2025 (IV-C)

IA No. 22990/2025 - CONDONATION OF DELAY IN FILING
IA No. 22996/2025 - EXEMPTION FROM FILING O.T.
IA No. 22992/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 22994/2025 - PERMISSION TO PLACE ADDITIONAL FACTS AND
GROUNDS

Date : 20-02-2025 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. Kailash Vasdev, Sr. Adv.
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Mr. Anant, Adv.

Mr. Rajat Joseph, AOR

Mrs. Shirin Khajuria, Sr. Adv.
Ms. Ranu Purohit, AOR
Ms. Swati Tiwari, Adv.
Ms. Niharika Singh, Adv.
Mr. Yashas Rk, Adv.

Mr. Gopal Singh, Adv.
Mr. Athul Joseph, Adv.
Mr. Kumar Mihir, AOR

Ms. Aishwarya Bhati, A.S.G.
Ms. Shivika Mehra, Adv.
Ms. Chitrangda Rastravara, Adv.
Ms. Aashta Singh, Adv.
Mr. Satya Jha, Adv.
Mr. Shreekant Neelappa Terdal, AOR

Mr. R Venkataramani, Attorney General for India
Mr. Vikramjit Banerjee, A.S.G.
Mr. Amit Sharma (B), Adv.
Mr. Chitvan Singhal, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Mr. Raman Yadav, Adv.
Mr. Nachiketa Joshi, Adv.
Mr. Sudarshan Lamba, AOR

Mr. Amrish Kumar, AOR

For Respondent(s) Mr. Anand Sanjay M Nuli, Sr. Adv.
Mr. Suraj Kaushik, Adv.
Mrs. Samina S, Adv.
Ms. Akhila Wali, Adv.
Mr. Shivraj Singh, Adv.
M/s. Nuli & Nuli, AOR

Mr. Devesh Kumar Chauvia, Adv.
Mr. Ashish Kumar Singh, Adv.
Mr. Praveen Kumar, Adv.
Mr. Gaurav Bhardwaj, Adv.
Mr. Lather Mukul Kanwar Singh, AOR

Mrs. Shirin Khajuria, Sr. Adv.
Ms. Ranu Purohit, AOR
Ms. Swati Tiwari, Adv.
Ms. Niharika Singh, Adv.
Mr. Yashas Rk, Adv.

Mr. Rameshwar Prasad Goyal, AOR
Mr. Anubhav, Adv.
Mr. Vijay Pal, Adv.
Mr. Bikash Chandra, Adv.
Mr. Rakesh Kumar, Adv.
Mr. Yashwant Singh Yadav, Adv.
Mr. Arvind, Adv.
Mrs. Preeti Yadav, Adv.
Mr. Om Prakash, Adv.
Mr. Umang Tripathi, Adv.
Mr. Harshal Kulkarni, Adv.

Applicant-in-person, AOR

Mr. Vidya Sagar, Adv.
Mr. Amolak, Adv.
Ms. Bano Deswal, Adv.
Ms. Tannu, Adv.
Mr. R. C. Kaushik, AOR

Mr. Venkita Subramoniam T. R, AOR
Mr. Rajat Joseph, AOR

Mrs. Kiran Bhardwaj, AOR
Mr. Pramod Kumar Tiwari, Adv.
Mr. A. K. Sinha, Adv.
Ms. Anu Mohla, Adv.

Mr. Nishant R. Kanteshwarkar, AOR

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

Miscellaneous Application Diary Nos. 2400/2024, 35783/2024, 35785/2024 and 35786/2024

These miscellaneous applications are disposed of in terms of the signed order.

Pending applications, including all intervention/impleadment applications, shall stand disposed of in terms thereof.

Miscellaneous Application Diary No. 26733/2023

The prayer made in the present miscellaneous application is allowed.

I.A. Nos. 123603/2021, 123704/2021 and 122419/2021 for intervention will be treated as having been allowed by the order dated 19.05.2023 passed in Civil Appeal No. 3933/2023 and other connected matters.

Contempt Petition (Civil) Diary Nos. 38437/2023, 38438/2023, 11336/2024 and 20636/2024

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

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

SLP(C) No. 28778/2024

The present special leave petition will be treated as disposed of in terms of the order/clarification issued by this Court today in the connected matters, that is, M.A. Diary No. 2400/2024 and

other miscellaneous applications/petitions.

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

SLPs(C) @ Diary No. 1997/2025

Delay condoned.

In view of the judgment passed by this Court "*Union of India & Anr. v. M. Siddaraj*"², we are not inclined to interfere with the impugned judgments/orders and, hence, the present special leave petitions are dismissed.

Equally, the directions issued by this Court today in the connected matters, that is, M.A. Diary No. 2400/2024 and other miscellaneous applications/petitions will apply.

The LIC shall comply with the impugned judgments/orders.

We, however, clarify that the dismissal of the present special leave petitions will not be read as an interpretation of the rules framed by the Life Insurance Corporation of India.

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

(BABITA PANDEY)
AR-CUM-PS

(ANJALI PANWAR)
COURT MASTER (NSH)

(Signed order is placed on the file)

² Dated 19.05.2023 in Civil Appeal No. 3933/2023, titled "*Union of India & Anr. vs. M. Siddaraj*" and other connected matters.