

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 2142-2143 OF 2024
(@ SPECIAL LEAVE PETITION(CIVIL) NO(S). 19629-19630 OF 2023)

THE STATE OF UTTAR PRADESH & ORS.

....APPELLANT(S)

VERSUS

GOPAL K. VERMA

....RESPONDENT(S)

WITH
CIVIL APPEAL NO(S). 2144-2145 OF 2024
(@ SPECIAL LEAVE PETITION(CIVIL) NO(S). 19999-20000 OF 2023)

ORDER

C.A. No(s). 2142-2143/2024 in SLP(C) No(s). 19629-19630/2023

1. Leave granted.
2. The order dated 08.01.2024 takes a note that the State of Uttar Pradesh has agreed to set up a machinery which will ensure that the lawyers representing the State Government will be paid their fees promptly. We hope and trust that the State will not create a situation, where an Advocate representing the State is required to approach the Court for recovery of his fees. If this scenario of creating a situation where the Advocate is compelled to approach the Court of law to recover fees from the State of Uttar Pradesh continues, it will discourage the talented Members of the Bar from appearing for the State of Uttar Pradesh. We, therefore, hope and trust that a proper and rational policy is effectively implemented so that the fees of the Advocates representing the State will be paid promptly and within a reasonable time.

3. In this case, the amount of interest payable is Rs. 1,16,397/- in terms of the impugned order of the High Court. Considering the peculiar facts of this case, we exercise our jurisdiction under Article 142 of the Constitution of India to reduce the interest payable to the respondent to a lumpsum of Rs. 50,000/- which shall be paid by the State to the respondent within a period of six weeks from today, failing which it will carry interest at the rate of 8% per annum from the date of this order.

4. The appeals are, accordingly, disposed of.

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

C.A. No(s). 2144-2145/2024 in SLP(C) No(s). 19999-20000/2023

1. Leave granted.

2. In these cases, the respondent was forced to approach the High Court as her bills for the period from December, 2009 to December, 2017 were kept pending by the State of Uttar Pradesh. The writ petition was filed on 20.10.2022. The impugned order notes that after filing of the petition, a sum of Rs. 13,85,600/- as claimed by the respondent was paid. The interest payable in terms of the impugned order is at the rate of 8% per annum. According to the State, the interest payable is of Rs. 4,91,727/- but, according to the respondent, the interest payable is of Rs. 7,56,000/-.

3. In view of the reasons which were recorded in separate order passed today in C.A. No(s). 2142-2143 of 2024 arising out of SLP(C) No(s). 19629-19630/2023, we exercise our jurisdiction under Article 142 of the Constitution of India and direct the State of Uttar Pradesh to pay a lumpsum amount of Rs. 3,00,000/- towards interest

within a period of six weeks from today. On the failure to pay the lumpsum amount of interest within stipulated time, it will carry interest at the rate of 8% per annum from the date of this order.

4. The appeals are, accordingly, disposed of.

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

.....J.
[ABHAY S. OKA]

.....J.
[UJJAL BHUYAN]

NEW DELHI;
FEBRUARY 12, 2024.

ITEM NO.51

COURT NO.7

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 19629-19630/2023

(Arising out of impugned final judgment and order dated 21-03-2023 in WPSB No. 18/2023 16-06-2023 in RAMCC No. 2/2023 passed by the High Court Of Uttarakhand At Nainital)

THE STATE OF UTTAR PRADESH & ORS.

Petitioner(s)

VERSUS

GOPAL K. VERMA

Respondent(s)

(IA No. 170568/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

SLP(C) No. 19999-20000/2023 (X)

(FOR

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 173098/2023

IA No. 173098/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 12-02-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) Ms. Garima Prasad, Sr. A.A.G.
Mr. Pradeep Misra, AOR
Mr. Daleep Dhyanī, Adv.
Mr. Suraj Singh, Adv.
Mr. Manoj Kumar Sharma, Adv.
Mr. Bhuwan Chandra, Adv.

For Respondent(s) Mr. Jayant Mohan, AOR
Ms. Aarohi Bhalla, Adv.
Ms. Adya Shree Dutta, Adv.

Mr. Somesh Chandra Jha, AOR
Ms. Pyoli, Adv.
Mr. Ejaz M. qureshi, Adv.
Mr. Shreay Saini, Adv.

Mr. Animesh Rajoriya, Adv.

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

Leave granted.

The appeals are disposed of in terms of the signed order.

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

(POOJA SHARMA)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)

(Signed order is placed on the file)