

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.3552 OF 2009

STATE OF MANIPUR & ORS.

.....APPELLANTS

VERSUS

R.K.SARJUBALA DEVI

.....RESPONDENT

O R D E R

Heard Mr.Sapam Biswajit Meitei, learned counsel for the appellants.

Despite service of notice, no one has appeared on behalf of the respondent.

The present appeal by special leave petition is directed against the judgment and order dated 07.09.2007 passed by the Division Bench of the Gauhati High Court, Imphal Bench in Writ Appeal No.47/2006 whereby the judgment and order passed by the learned Single Judge in W.P.(C)No.892 of 1999 has been affirmed and a direction has been issued to re-engage the respondent, who was serving as a muster roll employee, on the foundation that there was no justification to terminate her services.

Learned counsel has submitted that the appellant was appointed on a stop gap arrangement and when the Government abandoned the practice of taking such muster roll employees, she was to be removed. He has drawn inspiration from paragraph 43 of the Constitution Bench decision in Secretary, State of Karnataka and others vs. Umadevi (3) and others (2006) 4 SCC 1 wherein it has

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been held that

"Therefore, consistent with the scheme for public employment, this Court while laying down the law, has necessarily to hold that unless the appointment is in terms of the relevant rules and after a proper competition among qualified persons, the same would not confer any right on the appointee. If it is a contractual appointment, the appointment comes to an end at the end of the contract, if it were an engagement or appointment on daily wages or casual basis, the same would come to an end when it is discontinued. Similarly, a temporary employee could not

For Respondent(s)

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

The appeal is allowed in terms of the signed order. There shall be no order as to costs.

(Satish K.Yadav)
Court Master

(Sneh Lata Sharma)
Court Master

(Signed order is placed on the file)