

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 (Civil) No(s).3247/2006

(From the judgement and order dated 23/11/2005 in WP No.4262/2004
of The HIGH COURT OF M.P AT JABALPUR)

ASHISH BHARGAWA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for directions and permission to file additional
documents and with prayer for interim relief and office report)
(for final disposal)

Date: 04/11/2011 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s) Mr. Akshat Shrivastava, Adv.
Mr. P.P. Singh, Adv.-on-record.
Mr. Inderjeet Yadav, Adv.

For Respondent(s) Mr. K.K. Rai, Sr. Adv.
Mr. Kuldip Singh, Adv.

Ms. Anita Sahwney, Adv.
Mr. Kunal Bahri, Adv.
for Mrs. Anil Katiyar, Adv.-on-record.

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

This Special Leave Petition is directed
against the judgment and order dated 23rd November,
2005, passed by the Jabalpur Bench of the Madhya
Pradesh High Court, rejecting the petitioner's
claim for being appointed to one of the six posts,
which had been filled up pursuant to selection
conducted in 1995.

2. According to the petitioner, out of the six
selected candidates, one was placed under
suspension and he continues to be under suspension.

However, another post fell vacant on the appointee
being proceeded against for having allegedly
submitted false documents. Subsequently, the said
candidate was re-appointed but in a separate post.

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According to Mr. Shrivastava, the petitioner,
therefore, acquired a semblance of a right in the
said post since he was in the 7th position in the
list of selected candidates, which was initially
prepared.

3. On the other hand, Ms. Anita Sahwney,
learned advocate appearing for the respondent,
Union of India, submitted that the selection

process for the six vacant posts stood completed once the selection and appointments were made.

4. Having considered the submissions made on behalf of the respective parties and having regard to the fact that the post in question relates back to the year 1995, and a long period has elapsed since then, we are not inclined to entertain the prayer made on behalf of the petitioner in the present Special Leave Petition. Accordingly, we see no reason to interfere with the order passed by the High Court.

5. The Special Leave Petition is, accordingly, dismissed.

(Sheetal Dhingra)
COURT MASTER

(Juginder Kaur)
Assistant Registrar