

SUPR EME COUR T OF I N D I A
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 918 OF 2008

STATE OF JHARKHAND & ORS.

Appellant (s)

VERSUS

GOPAL SINGH

Respondent(s)

Civil Appeal NO. 919 of 2008

With SLP(C) NO. 14227 of 2008

Date: 18/08/2009 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.S. SIRPURKAR

HON'BLE MR. JUSTICE DEEPAK VERMA

For Appellant(s)

C.A. 918/2008

Mr. Kumar Rajesh Singh, Adv.
Mr. B.B. Singh, Adv.
Ms. Prerna Kumari Singh, Adv.
Mr. Aishwarya Sinha, Adv.

CA 919/2008

Mr. Anil K. Jha, Adv.
Mr. Manoranjan Kr.Jha, Adv.

SLP(C) 14227/08

Mr. Manish Kumar Saran, Adv.

For Respondent(s)

Mr. Goodwill Indeevar, Adv.

CA 919/2008

Mr. Rajesh Kumar, Adv.
Mr. Dharam Bir Raj Vohra, Adv.
Mr. Anil Sahu, Adv.

SLP(C) 14227/08

Mr. M.P. Jha, Adv.
Mr. Ram Ekbal Roy, Adv.
Mr. Harshrvardhan Jha, Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted in SLP(C) No. 14227/2008.

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

(Shashi Sareen)
Court Master

(Shashi Bala Vij)
Court Master

(signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

STATE OF JHARKHAND & ORS.

... Appellant(s)

Versus

GOPAL SINGH

... Respondent(s)

With C.A.No. 919/2008 AND C.A. No...../2009 @ SLP(C) No. 14227/2008

ORDER

Leave granted in SLP(C) No. 14227/2008.

These matters pertain to the appointment of several persons. Admittedly, all these persons are working for more than 10 years. All of them are in the sanctioned posts and they are not surplus employees.

Learned counsel for the appellant points out that there are some more persons placed in identical circumstance as the respondent herein. We, therefore, direct that the State Government shall take stock of the whole situation and decide the future course of action in case of these employees.

Learned counsel for the State points out that because of judgment of this Court in Secretary, State of Karnataka & Ors. Vs. Uma Devi & Ors. [2006 (4) SCC 1] these persons cannot continue.

We are, however, of the clear

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opinion that since these persons are working on the sanctioned posts, and are continuing for a substantial number of years, it will be better for the State Government to consider as to whether these persons can be regularised. We are passing this order not by way of precedent but to find out as to what is the present situation available and whether the State Government would be required to fill up those posts. The State Government is directed to consider the matter. Learned counsel is directed to come back to this Court to file an affidavit in compliance of the same after three months of the communication of this order. The State Government to file an affidavit in the light of the observation

made hereinabove.

The appeals are disposed of in the aforesaid terms.

.....J.
(V.S.SIRPURKAR)

.....J.
(DEEPAK VERMA)

New Delhi,
August 18, 2009.