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SLP(C)No. 3553 OF 2003  
ITEM No.44

Court No. 8

SECTION XIV  
A/N MATTER

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.3553/2003

(From the judgement and order dated 29/01/2003 in WP 6000/02  
of The HIGH COURT OF GAUHATI)

MD. ARIFUL ISLAM

Petitioner (s)

VERSUS

STATE OF ASSAM & ANR.

Respondent (s)

(With prayer for interim relief and office report)  
( With Appln(s). for permission to place addl. documents on record and intervention )  
With

SLP(C)No.10154/2003,SLP(C)No.3807/2003

Date : 04/08/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL  
HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

For Petitioner (s) Mr.R.F.Nariman,Sr.Adv.  
Mr.Arunab Choudhary,Adv.  
Ms.Manik Karanjawala,Adv.

Mr.Jaideep Gupta,Sr.Adv.  
Mr.Nilay Dutta,Sr.adv.  
Mr.Manish Goswami,Adv.  
Mr.Rameshwar Prasad Goyal,Adv.

For Respondent (s) Dr.A.M. Singhvi,Sr.Adv.  
Ms.Krishna Sarma,Adv.  
Ms.Asha G.Nair,adv.  
Mr.V.K.Sidharthan,Adv.0

Mr. P.K. Jain,Adv.

Mr.P.K.Goswami,Sr.Adv.  
Mr.B.Aggarwal,Adv.  
Mr.Rajiv Mehta,Adv.  
Mr.Rajiv Malhotra,Adv.

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

Application for impleadment and intervention is allowed.

Leave granted in all the special leave petitions.

The appeals are disposed of with no order as to costs.

(Usha Bhardwaj) (Madhu Saxena)  
P.S. To Registrar COURT MASTER

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS...../2003  
Arising out of SLP(Civil)No.3553 & 10154 of 2003

Md. Ariful Islam ...Appellant

vs.

State of Assam & Anr. ...Respondents

O R D E R

Leave granted in all the special leave petitions.

The appeals are disposed of by the following order:

(1) In keeping with the decision of the State Government to hold fresh examinations for the post of Assistant Enforcement Inspector and Enforcement Checker, (Department of Transport), the examinations held in 2002 for the aforesaid posts are set aside. The State Government has also made it clear before this Court that they will hold the fresh examinations as soon as it is possible.

Prior to such examinations advertisements must be published in local news newspapers throughout the State indicating therein the eligibility criteria for the selections.

(2) Until the selection is completed after the fresh examination which is proposed to be held, the ad-hoc appointees i.e. those who were manning the posts prior to the examinations which were held in 2002, shall continue to hold the aforesaid posts. This shall not create any equity in their favour.

If they wish to be appointed regularly they must sit for the examinations and if they are successful take the viva voce test.

We do not express any opinion on the merits of the allegations which have been raised.

There shall be no order as to costs.

.....J.

(RUMA PAL)

.....J.

(P.VENKATARAMA REDDI)

New Delhi,

Dated : 04.8.2003