

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3005 OF 2006

(arising out of SLP(C)No.3085 of 2006)

SURENDRA CHOUDHARY

... APPELLANT

VERSUS

STATE OF BIHAR & ORS.
TS

... RESPONDENTS

O R D E R

Leave granted.

In this appeal a limited notice was issued to the question as to whether observation made by the High Court with regard to the making of endorsement in the service record of the appellant should not be expunged. The writ petition under the heading of Public Interest Litigation was filed by the General Secretary on behalf of the employees. The employees were not the parties before the High Court. Therefore, the High Court was not justified in directing the Collector to make an endorsement in the service record of each employee whose cause is taken by the General Secretary.

Accordingly, the said observation of the High Court is expunged. The exemplary cost of Rs.5,000/- upon the General Secretary is maintained.

With the aforesaid observation, the appeal is disposed of.

.....J.

(H.K. SEMA)

.....J.

(A.K. MATHUR)

NEW DELHI,

JULY 17, 2006.

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ITEM NO.52

COURT NO.7

SECTION XVI

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).3085/2006

(From the judgement and order dated 25/01/2006 in CWJC No. 1058/2006 of The HIGH COURT OF PATNA)

SURENDRA CHOUDHARY

Petitioner(s)

VERSUS

STATE OF BIHAR & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 17/07/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA

HON'BLE MR. JUSTICE A.K. MATHUR

For Petitioner(s)

Mr. P.S. Mishra, Sr.Adv.

Mr. Upendra Mishra, Adv.

Mr. Tathagat H. Vardhan, Adv.

Mr. Dhruv Kumar Jha, Adv.

Mr. Ravi C. Prakash, Adv.

Mr. Manu Shanker Mishra, Adv.

For Respondent(s)

Mr. Gopal Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The High Court was not justified in directing the Collector to make an endorsement in the service record of each employee whose cause is taken by the General

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Secretary. Accordingly, the said observation of the High Court is expunged. The

exemplary cost of Rs.5,000/- upon the General Secretary is maintained.

The appeal is disposed of in terms of the signed order.

(PAWAN KUMAR)

(ANAND SINGH)

COURT MASTER

COURT MASTER

(signed order is placed on the file)