

SECTION-XV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4517 OF 2004

STATE OF RAJASTHAN & ORS.

...APPELLANTS

VERSUS

RAMESH CHANDRA MUNDRA & ORS.

...RESPONDENTS

OFFICE REPORT

The matter above-mentioned was listed before the Hon'ble Court on 24.02.2010, when the Court was pleased to pass the following order:

"We have heard learned counsel appearing for the parties.

This appeal has been filed against the impugned judgment dated 29.11.2000 passed by the Rajasthan High Court.

The short question which is involved in this appeal is whether the Chief Justice of the High Court can upgrade the post of Private Secretary as Senior Private Secretary in a higher pay scale.

Learned counsel appearing for the appellants urged that this could not be done in view of the proviso to Article 229 of the Constitution of India without approval of the Governor of the State. It appears that the prayer for approval of the Governor has been rejected by the Government.

In our opinion, since an important question of law as to the interpretation of a constitutional provision viz. Article 229(2) has arisen in this case, the matter should be heard by a larger Bench, preferably by a Constitution Bench, in view of Article 145(3) of the Constitution.

Let papers of this case be placed before Hon'ble the Chief Justice of India for constituting an appropriate Bench."

It is submitted that there are 27 respondents in this matter. Mr. Y.P. Dhingra, Advocate is representing Respondent Nos. 1-3, 5-12, 16-18 & 20-26. Mr. Sunil Kumar Jain, Advocate is appearing for respondent No. 27 who has been deleted shown as Petitioner No.

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4 and impleaded as Proforma Respondent No. 27 vide Court's Order dated 26.07.2004. AD Cards duly signed have been received in respect of respondent Nos. 4, 13, 15, 19 & respondent No. 14 has been served through Dasti but no one has entered appearance so far.

Original Record of the matter is available in this Registry for kind perusal of the Court.

Service is complete.

The matter above-mentioned is listed before the Hon'ble Court with this Office Report.

Dated this the 3rd day of February, 2016.

ASSISTANT REGISTRAR

Copy to: 1. Mr. Milind Kumar, Adv.
29, Lawyers Chambers, S.C.I., N.D.

2. Mr. Yash Pal Dhingra, Adv.
Lawyers Chambers, SCI, N.D.

3. Mr. Sunil Kumar Jain, Adv.
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ASSISTANT REGISTRAR