

SU P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).4928/2007

(From the judgement and order dated 05/07/2006 in WA No. 101/2006 of
The H
IGH COURT OF M.P AT JABALPUR)

GAJANAND SAHU Petitioner(s)

VERSUS

STATE OF M.P & ORS. Respondent(s)

(With appln(s) for c/delay in filing SLP,exemption from filing
O.T.,permission to file rejoinder affidavit and office report))

WITH SLP(C) NO. 15091 of 2006

(With prayer for interim relief and office report)

SLP(C) NO. 17391 of 2006

(With prayer for interim relief and office report)

SLP(C) NO. 19516 of 2006

(With prayer for interim relief and office report)

Date: 07/08/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.S. SIRPURKAR

HON'BLE DR. JUSTICE B.S. CHAUHAN

For the appearing parties

Mr. Vivek Tankha, Sr. Adv.

Ms. Ratna Kaul, Adv.

Mr. Harsh Pathak, Adv.

Mr. K.N. Madhusooldhanan, Adv.

Mr. Sidharth Gupta, Adv.

Mr. T.G. Narayanan Nair,Adv.

Mr. Raj Kumar Gupta, Adv.

Mr. Mukul Dubey, Adv.

Mr. Praveen Chaturvedi, Adv.

Mr. B.K.Satija, Adv.

Mr. Gautam Awasthi, Adv,

Mr. Balaji Srinivasan, Adv.

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Mr. Vivek Kr. Tankha, Sr. Adv.

Ms. Ratna Kaul, Adv.

Mr. Prashant Kumar, Adv.

M/S. Ap & J Chambers

Mr. B.S. Banthia,Adv.

Mr. Dharam Bir Raj Vohra ,Adv

Mr. Naveen Sharma, Adv.

Mr. B.S. Banthia, Adv.

Mr. Suryanarayana Singh, Adv.
Ms. Pragati Neekhara, Adv.

UPON hearing counsel the Court made the following
ORDER

SLP (C) No. 4928/2007

Delay condoned.

Leave granted.

The Civil Appeal is disposed of in terms of the signed order.

SLP(C) Nos. 15091/2006, 17391/2006 & 19516/2006

Leave granted in all the above SLPs,

The Civil Appeals are dismissed in terms of the signed order.

(Hemalatha Mohan)
Sr.P.A.

(Shashi Bala Vij)
Court Master

(signed order is placed on file)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5311 OF 2009
(Arising out of SLP(C)No. 4928 of 2007)

GAJANAND SAHU

PEITIIONER(S)

VERSUS

STATE OF M.P & ORS.

RESPONDENT(S)

WITH

CIVIL APPEAL NO.5312 OF 2009
(Arising out of SLP(C)No.15091 of 2006)

CIVIL APPEAL NO.5313 OF 2009
(Arising out of SLP(C)No.17391 of 2006)

CIVIL APPEAL NO.5314 OF 2009
(Arising out of SLP(C)No.19516 of 2006)

ORDER

CIVIL APPEAL NO.5311 OF 2009
(Arising out of SLP(C)No. 4928 of 2007)

Leave granted.

The Parties agreed that Writ Appeal No.101/2006 should
be heard again by the Division Bench since the concerned
appellant before us had nothing to do with the controversy lying
before the Division Bench as also the learned Single Bench. In
that view of the matter, we set aside the order in so far as it

pertains to the dismissal of Writ Appeal No.101/2006 titled Gajanand Sahu vs. State of M.P. and we request the Division Bench of the High Court to dispose of this appeal as early as possible. All

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questions shall be open to the parties which are available to them in law as well as in facts.

The Civil Appeal is disposed of accordingly.

CIVIL APPEAL NO.5312 OF 2009
(Arising out of SLP(C)No.15091 of 2006)

CIVIL APPEAL NO.5313 OF 2009
(Arising out of SLP(C)No.17391 of 2006)

CIVIL APPEAL NO.5314 OF 2009
(Arising out of SLP(C)No.19516 of 2006)

Leave granted.

All these appeals involve only questions of facts. The learned Single Judge set aside the order of the Hon'ble Minister who had allowed the revisions filed by the appellants. It was found subsequently that the whole selection process was lacking in transparency and the selections were hit by principles of bias as number of persons who were in the Select Committee had their interests in as much as their relatives appeared in the selection process. This fact has been found by the Collector and the Commissioner. However, that order came to be set aside by the Hon'ble Minister. The learned Single Judge as well as the Division Bench have taken the view that the order of the Hon'ble Minister was not correct inasmuch as there was no proper appreciation nor there was a proper consideration of the finding of the Collector and the

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Commissioner. In our view both the orders are absolutely correct.

The appeals have no merit and are dismissed.

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

.....J.
(Dr. B.S. CHAUHAN)

NEW DELHI ;
7TH AUGUST, 2009.