

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal No(s). 5959 OF 2007

SATYA VIR SINGH & ANR.

APPELLANT(S)

VERSUS

HIGH COURT OF PUNJAB AND HARYANA

RESPONDENT(S)

O R D E R

Having heard learned counsel for the parties, we find that in pursuances of the law laid down by the High court in its judgment dated 30.8.2005 against which the special leave petition was dismissed by this Court on 4.1.2006, the Chief Justice on the administrative side decided to follow the said judgment even for the subsequent recruitment in question affecting the appellants. The net effect was that while on 27.1.2006, there was a reversion of the appellants, it is stated that appellant No.1 was again promoted on 7.7.2006 but appellant No.2 though considered was not found fit. Appellant No.2 was however, subsequently promoted on 9.2.2011.

It is trite to say that the principle of law laid down is when the selection has to be by the High Court from a panel sent, a direction could not have been issued to the District Judge concerned to send only one name. It is undisputed that in case of both the appellants only their names was sent from the respective districts even though there were other eligible and willing candidates available.

We are thus of the view that the principle laid down would directly apply to the appellants.

We are conscious of the fact that the appellants were not given an opportunity to show cause prior to their reversion but in the given facts of the case, it would sub-serve no purpose to remit the matter on that count.

We may, however, note the submission of the learned counsel for the appellants that in the impugned order, there is an error on page 4 while recording that the present appellants were party to the earlier proceedings, factually while it was not so.

We see no reason to exercise our jurisdiction in the present matter. The appeal is dismissed.

.....J.
(J. CHELAMESWAR)

.....J.
(SANJAY KISHAN KAUL)

New Delhi;
Dated: February 22, 2018.

ITEM NO.106

COURT NO.2

SECTION IV

S U 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

Civil Appeal No(s). 5959/2007

SATYA VIR SINGH & ANR.

Appellant(s)

VERSUS

HIGH COURT OF PUNJAB AND HARYANA

Respondent(s)

Date : 22-02-2018 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR
HON'BLE MR. JUSTICE SANJAY KISHAN KAULFor Appellant(s) Mr. Sanjay Parikh, Adv.
Ms. Anitha Shenoy, AOR
Ms. Srishti Agnihotri, Adv.
Ms. Ramya Raj, Adv.For Respondent(s) Mr. Manjit Singh Dalal, Sr. Adv.
Mr. Rahul Gupta, AORUPON hearing the counsel the Court made the following
O R D E R

The appeal is dismissed in terms of the signed order.

(OM PARKASH SHARMA)
AR CUM PS

(Signed order is placed on the file)

(RAJINDER KAUR)
BRANCH OFFICER