

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3007 OF 2007

STATE OF HARYANA & ANR

Appellant(s)

VERSUS

RAJESH & ORS.

Respondent(s)

WITH

CIVIL APPEAL No. 3008 OF 2007

O R D E R

Heard Mr. Manjit Singh, learned Additional Advocate General for the appellants, and Mr. J.P. Dhanda and Mr. Ashok K. Mahajan, learned counsel, for the respective respondents.

2. Having heard the learned counsel for the parties, we only clarify that the direction issued by the High Court in the Writ Petitions for creation of supernumerary post shall be treated as a direction for one time regard being had to the special features of the case, for the law with regard to preference of ex-servicemen was stated for the first time in the *Dilwan Singh & Ors. Vs. State of Haryana and Ors.*, (1996) 8 SCC 369. To elaborate, ordinarily the High Court should not have directed for creation of supernumerary posts in this kind of case.

3. With the aforesaid clarification, the Appeals stand disposed of. There shall be no order as to costs.

.....J.
(DIPAK MISRA)

NEW DELHI;
OCTOBER 30, 2014

.....J.
(UDAY UMESH LALIT)

ITEM NO.109

COURT NO.5

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). 3007/2007

STATE OF HARYANA & ANR

Appellant(s)

VERSUS

RAJESH & ORS.

Respondent(s)

(with appln. (s) for intervention and modification and office report)

WITH

C.A. No. 3008/2007

(With Interim Relief and Office Report)

Date : 30/10/2014 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Appellant(s) Mr. Manjit Singh, A.A.G.
Ms. Vivekta Singh, Adv.
Mr. Kamal Mohan Gupta, Adv.

For Respondent(s) Dr. J. P. Dhanda, Adv.
Mr. N.A. Usmani, Adv.

Mr. Ashok K. Mahajan, Adv.

Mr. Satyendra Kumar, Adv.

Dr. Kailash Chand, Adv.

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

Appeals stand disposed of in terms of the signed order.

pending interlocutory application, if any, stands disposed of.

(RAJESH DHAM)
COURT MASTER

(RENUKA SADANA)
COURT MASTER

(signed order is placed on the file)