

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9156 OF 2013
[@ SPECIAL LEAVE PETITION NO. 13092 of 2012]

AJAY TYAGI & ANR

Appellant (s)

VERSUS

HARI MOHAN

Respondent(s)

O R D E R

Leave granted.

Upon perusal of the impugned order passed by the High Court dated 15th November, 2011 in COPC No. 81 of 2011, we find that the High Court has given directions with regard to the regularization of service of the respondent.

In our opinion, it was not just and proper on the part of the High Court to give any direction to the Government so as to digress from the policy, which might be followed by the Government.

We, therefore, quash the direction given by the High Court with regard to the regularization of service of the respondent.

However, we clarify that the Department shall consider the case of the respondent in accordance with the rules and regulations which might be in force or as per the policy laid down by the Government with regard to the regularization.

With the above observations and directions, the appeal stands allowed and the impugned order stands modified with no order as to costs.

.....J.
[ANIL R. DAVE]

.....J.
[DIPAK MISRA]

New Delhi;
October 17, 2013.

ITEM NO.36

COURT NO.12

SECTION XIV

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).13092/2012

(From the judgement and order dated 15/11/2011 in COPC No.81/2011 of The HIGH COURT OF H.P AT SHIMLA)

AJAY TYAGI & ANR

Petitioner(s)

VERSUS

HARI MOHAN

Respondent(s)

(With prayer for interim relief and office report)

Date: 17/10/2013 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ANIL R. DAVE
HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s) Mr. Pawan Verma, Adv.
Mr. Varinder Kumar Sharma, Adv.

