

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).3325 OF 2017

NETAI GHOSH & ORS.

APPELLANT(S)

VERSUS

DEBABRATA KUNDU & ORS.

RESPONDENT(S)

WITH

C.A. No. 3335 OF 2017

O R D E R

The State of West Bengal and Netai Ghosh and others are in appeal against order of the High Court of Calcutta. Netai Ghosh and others were selected through Public Service Commission, West Bengal and posted in various Health Centers. Subsequently, their services were regularized against the post of Lecturers in Government Homeopathic Medical Colleges.

Process of filling up vacant posts of Demonstrator was initiated in the year 2002 but the same was abandoned. In 2008, the post of Lecturers were sought to be filled up by issuing an advertisement.

The grievance of the original applicants before the West Bengal Administrative Tribunal was that they were eligible at the time when the process of filling up the posts of demonstrators was initiated and their age should be relaxed in the process for filling up posts of

Lecturers.

The High Court did not accept this plea but directed that age relaxation clause should be inserted in future advertisement. Their special leave petition has been dismissed by this Court.

The High Court held that regularization of Netai Ghosh and others was not proper.

It is not necessary to determine any legal issue in view of the fact that Netai Ghosh and others have worked for a long time and some of them have retired. Thus, their regularization will remain undisturbed.

The appeals are disposed of in above terms.

.....J.
[ADARSH KUMAR GOEL]

.....J.
[UDAY UMESH LALIT]

NEW DELHI
29TH AUGUST, 2017

ITEM NO.1

COURT NO.11

SECTION XVI

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). 3325/2017

NETAI GHOSH . & ORS.

Appellant(s)

VERSUS

DEBABRATA KUNDU . & ORS.

Respondent(s)

(Application for impleadment)

WITH

C.A. No. 3335/2017 (XVI)

(IA No.57614/2017-APPROPRIATE ORDERS/DIRECTIONS)

Date : 29-08-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Parties(s)

Mr. Harin P. Raval, Sr. Adv.
Mr. Soumitra G. Chaudhuri, Adv.
Mr. Chanchal Kumar Ganguli, AOR

Mr. Rajan Chatterjee, Adv.
Mr. Runa Bhuyan, Adv.
Mr. Satish Kumar, AOR

Mr. Bijan Kumar Ghosh, AOR
Mr. Nishant Singhla, Adv.
Mr. P. Jegan, Adv.

Mr. Gaurav Agarwal, Adv.
Mr. Sarad Kumar Singhania, AOR

Mr. Pradip Kumar T., Adv.
Mr. Sukesh Ghosh, Adv.
Mr. Shashi Kiran, Adv.

Mr. Snehasish Mukherjee, AOR

Mr. Shankar Divate, AOR

Ms. Partha Sil, AOR

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

The appeals are disposed of in terms of the signed order.

Pending applications, including impleadment application, shall also stand disposed of.

(SWETA DHYANI)
SENIOR PERSONAL ASSISTANT

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER

(Signed order is placed on the file)