

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).11036/2003

(From the judgement and order dated 14/11/2002 in CWP No.18078/2002
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

JASVIR SINGH AND ORS.

Petitioner(s)

VERSUS

STATE OF PUNJAB AND ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T. and office report)

[For Final Disposal]

Date: 27/01/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.K. THAKKER

For Petitioner(s)

Mr. Amit Chopra,Adv.

Mr. R.K. Chopra,Adv.

Mr. Sudarshan Goel,Adv.

Mr. P.N. Puri,Adv.

For Respondent(s)

Mr. R.K. Rathore,AAG.,Pb.

Mr. M.K. Verma,Adv.

Mr. Arun K. Sinha,Adv.

UPON hearing counsel the Court made the following

O R D E R

Exemption allowed.

Leave granted.

The civil appeal is disposed of.

No costs.

[T.I. Rajput]

A.R.-cum-P.S.

[V.P. Tyagi]

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.862 OF 2006

(Arising out of S.L.P. (C) No.11036 of 2003)

Jasvir Singh & Ors.

...Appellant(s)

Versus

State of Punjab & Ors.

...Respondent(s)

O R D E R

Leave granted.

The appellants filed a writ petition in the High Court seeking directions against Respondent Nos.1 to 4 to give to the appellants deemed date of appointment as Constables from the date from which it was given to Respondent Nos.5 to 8. The writ petition has been dismissed only on the ground that Respondent Nos.5 to 8 were selected as Constables in the year 1998 in which the appellants also were considered but were not found suitable. The appellants were selected in the selection conducted in the year, 2000.

Our attention, however, has been drawn to Memo No.16318-40-P-3 dated 2nd July, 1999, issued by the Director General of Police, Punjab, Chandigarh, to all Senior Superintendents of Police, Punjab, whereunder it was directed

...2/-

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that deemed dates be "granted to all suitable SPOs (from the dates persons junior to them were enlisted as Constables in their respective districts) reference point of a junior SPO who was first (earlier) allotted a constabulary number, out of turn, compared to the suitable SPO, individually, be taken from the concerned district/unit. The date on which such a junior SPO was allotted

constabulary number be fixed as the deemed date of appointment

for the non-petitioners also." Be that as it may, this Court in

Ghan Sham Sunder & Ors. vs. State of Punjab & Ors. (Civil

Appeal No.4645 of 2000) decided on 11th August, 2000, has

directed as under:

"In view of the above said affidavit accepting that the 29 appellants mentioned in the above para have been found suitable for the post of Constable, we direct that the said appellants will be allowed Constabulary numbers as per the seniority.

The appeal in respect of these 29 appellants is allowed accordingly."

In view of the aforesaid, we direct Respondent Nos.1 to 4 to treat the appellants in similar manner as was directed in Ghan Sham Sunder & Ors. (supra).

The civil appeal is disposed of accordingly.

No costs.

.....CJI.

[Y.K. SABHARWAL]

.....J.

[C.K. THAKKER]

New Delhi,

January 27, 2006.