

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO. 4654 of 2009

DATTA GURU SAWANT & ORS.

Appellant(s)

VERSUS

TANVEER KHATIB & ORS.

Respondent(s)

WITH

C.A. No. 4655 of 2009

C.A. No. 4656 of 2009

O R D E R

We have heard learned counsel for the appellants-State.

The appellants were appointed as Sub-Inspector of police in the State of Goa. Their selection has been set aside on the ground that the career profile criteria and marks allotted therefore were introduced subsequent to the commencement of selection process.

However, it is undisputed that the writ petitioners also participated in the same process and were tested by the same criteria. The criteria was in the form of a government order and provided for weightage for better qualifications or better performance in the examination. Neither the criteria has been held to be irrational nor mala fide. The appellants, selected in the process, have already worked for 15 years.

In the totality of the circumstances, we are of the view that disturbing the selection of the appellants is not called for.

Accordingly we set aside the impugned order and allow these appeals.

Pending applications, if any, shall also stand disposed of.

.....J.  
(ADARSH KUMAR GOEL)

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

New Delhi,  
August 16, 2017.

ITEM NO.102

COURT NO.12

SECTION IX

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). 4654/2009

DATTA GURU SAWANT &amp; ORS.

Appellant(s)

VERSUS

TANVEER KHATIB &amp; ORS.

Respondent(s)

WITH

C.A. No. 4655/2009 (IX)

C.A. No. 4656/2009 (IX)

Date : 16-08-2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Appellant(s)      Mr. Dhruv Mehta, Sr. Adv.  
                                 Ms. Shobha, AOR  
                                 Mr. Bonny Mehra, Adv.  
                                 Ms. Jayshree, Adv.

For Respondent(s)    Mr. Santosh Paul, Adv.  
                                 Mr. Aravind Gupta, Adv.  
                                 Mr. Sreenath S., Adv.  
                                 Mr. Ranjan Kumar, AOR

                                 Mr. Pratap Venugopal, Adv.  
                                 Mr. S.S. Rebello, Adv.  
                                 Ms. Niharika, Adv.  
                                 Ms. Kanika Kalaiyarasan, Adv.

                                 Mr. Anupam Lal Das, AOR

UPON hearing the counsel the Court made the following  
ORDER

In terms of the signed order, the appeals are allowed.

(MAHABIR SINGH)  
COURT MASTER

(PARVEEN KUMARI PASRICHA)  
COURT MASTER

(Signed order is placed on the file)