

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3899 of 2006

RAM CHANDRA YADAV

.....APPELLANT

VERSUS

JOINT DIRECTOR OF EDUCATION & ORS.

.....RESPONDENTS

O R D E R

We have heard Ms. Purnima Bhat, learned counsel for the appellant.

The dispute in this appeal relates to inter se seniority of the appellant and respondent No.4. The appellant and respondent No.4 were appointed pursuant to the approval given by the District Inspector of Schools on October 04, 1974 and the appointment order issued on October 05, 1974. Respondent No.4 joined his duty on October 05, 1974 whereas the appellant joined his duty on October 09, 1974. The appellant is said to be older to respondent No.4. In the seniority list prepared by the Management of the Institution, initially in the year 1975-1976 and in the subsequent years, respondent No.4 was shown senior to the appellant. At no point of time until 1996, any dispute was raised by the appellant with regard to the seniority accorded to respondent No.4 above him. The High Court has noted that the appellant had full knowledge of the seniority list of the years 1975-1976, 1977-1978, 1979-1980 and for the subsequent period.

In view of the fact that the appellant, for a long period of time, did not raise any dispute about the

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seniority accorded to respondent No.4, the aspect of seniority became final and settled. It was too late in the year 1996 and thereafter for the appellant to raise the dispute about the seniority between him and respondent No.4.

The impugned order does not suffer from any legal flaw.

The civil appeal has no merit and is dismissed with no order as to costs.

.....J
(R.M. LODHA)

.....J
(SURINDER SINGH NIJJAR)

NEW DELHI,
APRIL 26, 2011.
ITEM NO.107

COURT NO.14

SECTION XI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 3899 OF 2006

RAM CHANDRA YADAV

Appellant (s)

VERSUS

JOINT DIRECTOR OF EDUCATION & ORS.

Respondent(s)

(With office report)

Date: 26/04/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Appellant(s)

Ms. Purnima Bhat, Adv.

For Respondent(s)

Mr. Anurag Dubey, Adv.
Mr. D.P. Pande, Adv.
Mr. Meenesh Dubey, Adv.
for Mr. S.R. Setia, Adv. (NP)

Ms. Niranjana Singh, Adv. (NP)

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

The civil appeal has no merit and is dismissed
with no order as to costs.

(N.S.K. Kamesh)
Court Master

(S.S.R. Krishna)
Court Master

(signed order is placed on the file)