

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. 6329 OF 2001@@
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DILBAG SINGH ...APPELLANT

VERSUS

MAHARSHI DAYANAND UNIVERSITY & ORS. ...RESPONDENTS
(With office report)

Date : 25/02/2003 This appeal was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Appellant (s) Mr. Pradeep Gupta, Adv.
Mr. C.M. Kennedy, Adv.
Mr. Dharam Bir Raj Vohra, Adv.

For Respondent (s) Mr. Nidhesh Gupta, Adv.
Ms. Naresh Bakshi, Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....J
.SP2

The appeal is disposed of in terms of the signed
order.

.SP1
Sarita (Shelly Sengupta)
Court Master

(Signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6329 OF 2001@@
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O R D E R@@
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.....L.....I.....T.....T.....T.....T.....T.....J
.SP2

After hearing learned counsel on either side for some time, on the previous occasion we wanted to know from Mr. Nidhesh Gupta, learned counsel representing the respondent-University whether the juniors to the appellant similarly placed were re-appointed and whether they are continuing in service till today and if that be so, why the appellant should be denied an opportunity of serving on similar terms. Learned counsel for the University today, on instructions, submitted that some of the juniors to the appellant are re-appointed having regard to security requirement. He further submitted that they have given undertaking to abide by the result of this appeal. Learned counsel further submitted that the appellant will also be re-appointed, as has been done in the cases of others, but without any backwages and his ..2/-

.PA

.2.

services shall be terminated when the regularly selected candidate will be appointed. Learned counsel for the appellant has no objection to adopt the such course.

Having regard to the peculiar facts and circumstances of this case, we dispose of this appeal in the following terms :

.....L....I....T.....T.....T.....T.....T.....T..J

1. The appellant has already been re-appointed pursuant to the interim order passed by this Court and he shall continue till regularly selected candidates are appointed to his place.

2. The appellant shall not claim any backwages for the period he was out of the job.

.....L.....I.....T.....T.....T.....T.....T.....J

The appeal stands disposed of in the abovesaid terms.

.SP1

.....J.
(SHIVARAJ V. PATIL)

New Delhi,
February 25, 2003.

.....J.
(ARIJIT PASAYAT)