

ITEM NO.10

COURT NO.11

SECTION XII-A

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 (C) No. 5911-5922/2022

(Arising out of impugned final judgment and order dated 21-03-2022 in WP No. 42109/2016 21-03-2022 in WP No. 1197/2017 21-03-2022 in WP No. 3055/2017 21-03-2022 in WP No. 3295/2017 21-03-2022 in WP No. 3298/2017 21-03-2022 in WP No. 3300/2017 21-03-2022 in WP No. 3301/2017 21-03-2022 in WP No. 3302/2017 21-03-2022 in WP No. 3544/2017 21-03-2022 in WP No. 4588/2017 21-03-2022 in WP No. 8347/2017 21-03-2022 in WP No. 8523/2017 passed by the High Court For The State Of Telangana At Hyderabad)

I. SREELAKSHMI

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.49200/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.49249/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(C) No. 6718/2022 (XII-A)

(FOR ADMISSION and I.R. and IA No.54558/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.54560/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 7682/2022 (XII-A)

(FOR ADMISSION and I.R. and IA No.61834/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 8260/2022 (XII-A)

(FOR ADMISSION and I.R. and IA No.66639/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.66640/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 7513-7514/2022 (XII-A)

(FOR ADMISSION and I.R. and IA No.61277/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.61279/2022-EXEMPTION FROM FILING AFFIDAVIT)

SLP(C) No. 6389-6393/2022 (XII-A)

(IA No. 52804/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 9229-9234/2022 (XII-A)**(IA No.74431/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)****SLP(C) No. 9686/2022 (XII-A)****(FOR ADMISSION and I.R. and IA No.77646/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)****SLP(C) No. 9652/2022 (XII-A)****(FOR ADMISSION and I.R. and IA No.77364/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)****SLP(C) No. 9228/2022 (XII-A)****(FOR ADMISSION and I.R. and IA No.74430/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)****SLP(C) No. 6901/2022 (XII-A)****(. .FOR ADMISSION and I.R. and IA No.56289/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.56290/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)****SLP(C) No. 6920-6922/2022 (XII-A)****(FOR ADMISSION and I.R. and IA No.56426/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)****SLP(C) No. 6959/2022 (XII-A)****(FOR ADMISSION and I.R. and IA No.56880/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)****SLP(C) No. 6689/2022 (XII-A)****(FOR ADMISSION and I.R. and IA No.54304/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.54305/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)****SLP(C) No. 6378/2022 (XII-A)****(IA No. 73879/2022 - APPLICATION FOR PERMISSION
IA No. 73877/2022 - APPLICATION FOR PERMISSION
IA No. 52634/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 52926/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)****SLP(C) No. 6736/2022 (XII-A)****(FOR ADMISSION and I.R. and IA No.54828/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.54829/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)****SLP(C) No. 9068-9079/2022 (XII-A)****(FOR ADMISSION and I.R. and IA No.73372/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 75287/2022 - APPLICATION FOR PERMISSION)**

Date : 07-02-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIRUDDHA BOSE
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Chand Qureshi, AOR
Mr. Sukesh Ghosh, Adv.
Mr. Raj Kumar Yadav, Adv.
Mr. Pradeep Mohod, Adv.
Mr. P.V. Krishnaia, Adv.
Mr. Ashok Basoya, Adv.
Mr. Aditya Kr. Archiya, Adv.

Ms. Sadhana Sandhu, AOR

Shri. Gaichangpou Gangmei, AOR
Mr. Kailash Pandey, Adv.
Mr. Ranjeet Singh, Adv.
Mr. Krishna Yadav, Adv.
Mr. Gaichangpou Gangmei Aor, Adv.

Ms. Awantika Manohar, AOR

Mr. B.adinarayana Rao, Sr. Adv.
Mr. B Adinarayana Rao, Sr. Adv.
Mr. M Srinivas R Rao, Adv.
Mr. Abid Ali Beeran P, AOR
Mr. Goli Ramakrishna, Adv.
Mr. Sarath S Janardanan, Adv.

Mr. K. Ramakanth Reddy, Sr. Adv.
Mr. Rajul Srivastava, Adv.
Ms. Charu Ambwani, AOR
Ms. Komal Agarwal, Adv.
Ms. Kavya Vijay, Adv.

Ms. V. Mohana, Sr. Adv.
Mr. Rajul Srivastava, Adv.
Ms. Sneha B., Adv.
Ms. Bhavya Pande, Adv.
Mr. K. Chandramohan, Adv.

For Respondent(s) Mr. K M Nataraj, A.S.G.
Mr. Vatsal Joshi, Adv.
Mrs. Indira Bhakar, Adv.
Mr. Sharath Narayan Nambiyar, Adv.
Mr. Mayank Pandey, Adv.
Mr. Akshit Pradhan, Adv.
Mr. Nakul Chengappa K.K., Adv.

Mr. Arvind Kumar Sharma, AOR

Mr. S Niranjana Reddy, Sr. Adv.
Mr. Mahfooz Ahsan Nazki, AOR
Mr. Polanki Gowtham, Adv.
Mr. Shaik Mohamad Haneef, Adv.
Mr. K V Girish Chowdary, Adv.
Mr. K V Girish Chowdary, Adv.
Mr. T. Vijaya Bhaskar Reddy, Adv.
Mr. T Vijaya Bhaskar Reddy, Adv.
Ms. Rajeswari Mukherjee, Adv.
Ms. Niti Richhariya, Adv.

Mr. S.. Udaya Kumar Sagar, AOR
Ms. Bina Madhavan, Adv.
Mr. Lakshay Saini, Adv.

Mr. Rana Sandeep Bussa, Adv.
Mr. Shashibhushan P. Adgaonkar, AOR

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

Leave granted.

Heard learned counsel for the parties.

The appellants before us are Doctors including those involved in teaching and they are dissatisfied with the allocation of cadre after bifurcation of the erstwhile State of Andhra Pradesh.

The High Court in the judgment(s) under appeal(s) has rejected their plea. At this stage, we are not making any comment about the legality of the allocation process. But, we are apprised by the learned counsel for the respondents that it might be possible in individual cases of request to decide such plea through mutually transfer process, or for any other reason which is acceptable to the State when allotment is sought. For this exercise, however, both the states will have to depute Officers and joint decision could be taken in coordination with the Central Government.

In the given context, we are not disposing of the appeals at this stage but we request the Central Government to depute a senior officer having the rank of Joint Secretary or above who could facilitate this exercise and let the two States also depute a senior officer each for considering the transfer request from one State to another on a case to case basis. The individual appellants, who are parties to these appeals shall be at liberty to approach the panel comprising of the senior officers of the two States and the Central Government, with their respective grievances.

Let this exercise be completed within a period of three months.

The three officers representing the Union and the two States shall formulate the procedure for considering the representation of the individual appellants and we do not make personal hearing to each individual officer a mandatory for completion of this exercise, as this request shall also be seen on a case to case basis.

In the event any of the appellants have already joined their allocated post by now, then the State in which they have joined shall pay their salary but this arrangement again would be subject to final outcome of these appeals.

The first meeting of the Committee shall be convened within a period of fourteen days. The date and place shall be fixed by the Officer of the Central Government.

Let these appeals be listed after four months and on the next date of hearing, a report on the outcome of this exercise shall be

placed before this Court.

(SNEHA DAS)
SENIOR PERSONAL ASSISTANT

(VIDYA NEGI)
ASSISTANT REGISTRAR