

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). 6417-6419 OF 2005

REGIONAL DIRECTOR, E.S.I. CORPORATION Appellant (s)

VERSUS

DHARANIDHAR DIXIT & ORS. Respondent(s)

Date: 10/11/2010 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Appellant(s)

Mr. Naveen R. Nath, Adv.
Ms. Lalit Mohini Bhat, Adv.

For Respondent(s)

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

The Civil Appeals are dismissed in terms of the
signed order.

(Sukhbir Paul Kaur)
Court Master

(Renuka Sadana)
Court Master

(Signed Order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

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O R D E R

It is brought to our notice by the learned
counsel for the appellant that except Saroj Kumar
Routray Manager Grade-II, other two respondents namely,
Dharanidhar Dixit and A.B. Ghose have already retired
from service on attaining the age of superannuation. It

is also brought to our notice that even Saroj Kumar Routray is also to retire next year.

In the circumstances, we are not inclined to interfere with the impugned order passed by the High Court. These appeals are accordingly, dismissed.

However, the impugned order shall not be treated as a precedent for the purpose of any other case and in future as and when any dispute with regard to convening of D.P.C. and the promotions arises, it shall be decided on its own merits uninfluenced by the observations and findings recorded by the High Court in the impugned order.

-2-

Obviously, the question as regards the interpretation and applicability of the Rules as well as the amended Rules is also left open.

No order as to costs.

.....J.
(B.SUDERSHAN REDDY)

.....J.
(SURINDER SINGH NIJJAR)

New Delhi,
November 10, 2010