

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 (Civil) No(s).17484/2004

(From the judgement and order dated 13/01/2004 in CWP No.13945/2003
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

SHIV KUMAR GARG & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

[With appln(s) for c/delay in refiling SLP, permission to submit additional
document(s), with prayer for interim relief and with office report]
(For final disposal)

WITH

SLP(C) NO.18337 of 2004

[With appln(s) for c/delay in refiling SLP, permission to submit additional
document(s), with prayer for interim relief and with office report]
(For final disposal)

Date: 09/02/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE D.K. JAIN

For Petitioner(s)

Mr. Sudhir Chandra Aggrawal, Sr. Adv.

Mr. Jasbir Singh Malik, Adv.

Ms. Arna Das, Adv.

Ms. Kamakshi S. Mehlwal, Adv.

For Respondent(s)

Mr. V. Sudeer, Adv.

Mr. MBRS Raju, Adv.

Mr. S. Balaji, Adv.

Ms. S. Sunita, Adv.

Mr. S. Sachin, Adv.

Ms. Mudhusmita Bora, Adv.

Mr. S. Srinivasan, Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned. Leave granted.

The civil appeals are allowed in terms of the signed order.

(Subhash Chander)

(Veera Verma)

Court Master

Court Master

[Signed Order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.873 OF 2007

[Arising out of S.L.P.(C)No.17484 of o2004]

Shiv Kumar Garg & Ors.

.....Appellants

Versus

Union of India & Ors.

.....Respondents

W I T H

CIVIL APPEAL NO.874 OF 2007

[Arising out of S.L.P.(C)No.18337 of 2004]

O R D E R

Delay condoned. Leave granted.

Heard counsel for both sides.

The appellants in this case were seeking selection to the post of Scale-

I Officer from the post of Clerk. In respect of the said selection, the

appellants allege that though they were senior to the contesting respondents,

they were placed much below the respondents in the Selection List and the

question of selection was raised before the High Court, but, unfortunately this

question was not considered by the High Court and the writ petition was

disposed of in view of an earlier writ petition disposed of by the High Court.

It is stated that even in the earlier writ petition this question was not

considered on merits. Having regard to the facts and circumstances of the

case, we set aside the impugned judgment and remit the matter to the High

Court with a request to consider the matter afresh in accordance with law and

dispose of the matter as expeditiously as possible.

The civil appeals are allowed accordingly.

Sd/-

.....CJI

[K.G. BALAKRISHNAN]

Sd/-

.....J.

[D.K. JAIN]

New Delhi.

February 09, 2007.