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C.A.No. 6136 OF 2000  
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ITEM NO.101 (P-H) COURT NO. 10 SECTION XIV

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.6136/2000 @@  
AA

Ziley Singh Appellant (s)

VERSUS

Chairman, G.B., C.V.S., Delhi Univ. & Ors. Respondent (s)  
(With office report)

Date : 30/01/2003 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)  
Ziley Singh-in-person

For Respondent (s)  
Mr. A. Mariarputham, Adv.  
Mrs. Aruna Mathur, Adv.

UPON hearing parties the Court made the following  
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The appellant-in-person resumed his arguments at 10.35 a.m. and concluded at 10.55 a.m. Thereafter, Mr.Mariarputham, learned counsel for the respondents, made his submission for about ten minutes.

The civil appeal is disposed of with costs of Rs.10,000/- on the appellant, in terms of the signed order.

.SP1 (N. Annapurna) (Shelly Sen Gupta)  
Court Master Court Master

(Signed order is placed on the file.)

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IN THE SUPREME COURT OF INDIA@@  
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CIVIL APPELLATE JURISDICTION@@  
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Ziley Singh

...Appellant

versus

Chairman, Governing Body, College of  
Vocational Studies, Delhi Univ. & Ors. ...Respondents

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Heard the appellant, party-in-person, and the learned counsel for the respondents.

The appellant was appointed as a clerk-cum-typist on October 10, 1979. His services were terminated on December 11, 1984 by the respondents on account of certain irregularities. For the post which fell vacant on account of termination of services of the appellant, an advertisement was made. Pursuant to the said advertisement, another candidate was appointed, after selection, on August 11, 1986. The appellant made a representation, after a period of five years from the date of termination of his services, to the respondents. When he did not get any favourable response, he filed a writ petition, C.W.P.No.3517/1992, in the High Court. A learned Single Judge of the High Court disposed of the writ petition declining to grant relief of reinstatement, however, directed that the appellant be paid his salary ..2/-

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from the date of termination of his services till the post was filled up, i.e., for the period between December 11, 1984 and August 11, 1986.

The appellant, aggrieved and not satisfied with the order of the learned Single Judge, filed L.P.A.No.14/1994 before a Division Bench of the High Court which came to be dismissed. He pursued the matter by filing a special leave petition in this Court which also met the same fate. Thereafter, he filed a review petition which was also dismissed. Not stopping at this, he had one more round of litigation by filing a writ petition, after exhausting the remedy of review, but unsuccessfully. Thus, the relief granted by the learned Single Judge in the writ petition regarding payment of wages/salary became final, so also refusal of the relief of reinstatement. The respondents filed a separate L.P.A. against the very order of learned Single Judge made in Writ Petition No.3517/1992. Unfortunately, the Division Bench of the High Court passed an order allowing the L.P.A. and dismissing Writ Petition No.3517/1992 finding fault with the order of the learned Single Judge that the writ petition ought not have been entertained on the ground of delay and laches. This result could have been avoided had only the Division Bench of the High Court disposed of both the L.P.As. together, one filed by the appellant and the other filed by the ...3/-

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respondents. Be that as it may, since the order of the learned Single Judge passed in Writ Petition No.3517/1992 had attained finality after reaching this Court, the Division Bench of the High Court, in our view, was not right and justified in passing the impugned order dismissing the writ petition in its entirety.

Having heard the appellant and the learned counsel for the respondents and looking to the facts and circumstances of the case, we think it just and appropriate to modify the impugned order so as to maintain consistency with the earlier order passed. In that, the order of the learned Single Judge made in Writ Petition 3517/1992 stands restored.

Learned counsel for the respondents states that some amount was deposited in the High Court pursuant to the direction at the time of granting interim stay. If that be so, the amount so deposited shall be adjusted while making payment of the amount pursuant to the order passed by learned Single Judge in Writ Petition No.3517/1992.

The appeal stands disposed of in the above terms.

Before parting with the case, we must place on record that the appellant has made irresponsible statements in the affidavit and application making allegations against the High Court and the Registry. When his attention was drawn, he tenders unconditional apology and states that due

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to some misunderstanding, he made such statements. We do not wish to pursue this matter any further but, at the same time, we warn the appellant not to make such irresponsible statements in future.

In this view, we impose costs of Rs.10,000/- on the appellant. This amount also shall be adjusted from the amount to be paid to him pursuant to the directions of the learned Single Judge.

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 (SHIVARAJ V. PATIL)@@  
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 (ARIJIT PASAYAT) @@  
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 January 30, 2003. @@  
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