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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5900/1998@@
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State of W.B. & Ors. .. Appellants

Vs.

Tulsi Ghosh .. Respondent

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A Panel was prepared for appointment to the post of Lower Division Clerk for the year 1985 containing 245 successful candidates. 52 writ petitions were filed in the year 1988, 1989 and 1990. On the basis of concession made by the learned Advocate General, those 52 persons were appointed. When the Respondent came to know of the said order he filed a writ petition before the High Court seeking for a similar benefit as some of the persons among the 52 persons who were appointed pursuant to the order made by the Court, were below him in the panel.

In the circumstances, the High Court directed that the respondent should also be appointed. The respondent was not a party to the earlier proceedings. In the circumstances of the case we think the High Court
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was justified in granting the relief sought for and we do not think that this is a fit case in which we should interfere under Article 136 of the Constitution. The appeal is dismissed accordingly.

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[S. RAJENDRA BABU]@@
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[DORAISWAMY RAJU]@@
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New Delhi,@@
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October 9, 2001 @@
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