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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6623 OF 2012
(arising out of SLP(C) No. 31627 of 2010)

RAMAKANT SHARMA	APPELLANT(S)	
VERSUS			
STATE OF BIHAR & ORS.	RESPONDENT(S)	

W I T H
SPECIAL LEAVE PETITION (CIVIL) NO. 18635 OF 2011

O R D E R

SLP (C) No. 31627 of 2010

Leave granted.

Heard Mr. Nagendra Rai, learned senior counsel for the appellant, and Mr. Gopal Singh, learned standing counsel appearing for the State of Bihar.

On the basis of an advertisement issued by the Bihar State Subordinate Services Selection Board in 1982, the appellant was selected for appointment on a Class III post in the reserved category of "Economically Weaker Section". On December 26, 1989, the Board recommended his name for appointment in the Irrigation Department (now re-named as the Water Resources Department) on the post of Research Assistant. Despite the selection and recommendation by the Board, the appointment never materialized for one reason or the other.

The High Court has found that the denial of appointment to the appellant was for reasons that do not bear scrutiny and was quite unjustified. Long years, however, lapsed before the High Court came to adjudicate on the matter

and uphold the claim of the appellant. As a result, by the time the High Court passed its judgment, the appellant was

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left with less than six years before he would reach the age of superannuation. In those circumstances, the High Court did not give direction for his appointment and instead directed the State Government to pay to the appellant a compensation of `1,50,000.

We are of the view that in the facts of the case the High Court was quite right in not directing for the appointment of the appellant and it appropriately moulded the relief by giving the appellant a lump sum amount as compensation. It is true that the loss of Government employment for no fault on the part of the appellant cannot be fully compensated in terms of money. But in the facts of the case that is the only course by which some redressal may be made for the injustice caused to the appellant. However, the amount of compensation fixed by the High Court is very low; the compensation of `1,50,000 does not seem to serve the ends of justice.

We, accordingly, enhance the compensation amount to `10,00,000 (rupees ten lacs). The compensation amount must be paid to the appellant within ten weeks from today.

With the aforesaid observations and directions, the appeal stands disposed of.

SLP (C) No. 18635 of 2011

We find no merit in this petition for special leave. It is dismissed.

.....J.
(AFTAB ALAM)

.....J.
(RANJANA PRAKASH DESAI)

NEW DELHI,
AUGUST 21, 2012.
ITEM NO.35

COURT NO.6

SECTION XVI

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).31627/2010

(From the judgement and order dated 12/07/2010 in CWJC No.2629/1994 of
the HIGH COURT OF PATNA)

RAMAKANT SHARMA

Petitioner(s)

VERSUS

STATE OF BIHAR & ORS.

Respondent(s)

(With prayer for interim relief and office report)

WITH
SLP(C) NO. 18635 of 2011
(With office report)

Date: 21/08/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s)
SC 31627/10 Mr. Nagendra Rai, Sr. Adv.
Mr. Smarhar Singh, Adv.
for Mr. T. Mahipal, Adv.

SC 18635/11 Mr. Gopal Singh, Adv.

For Respondent(s)
SC 31627/10 Mr. Gopal Singh, Adv.

BPSC Mr. Navin Prakash, Adv.
Mr. Ravi Kant, Adv.

SC 18635/11 Mr. Nagendra Rai, Sr. Adv.
Mr. Smarhar Singh, Adv.
for Mr. T. Mahipal, Adv.

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

SLP (C) No. 31627 of 2010
Leave granted.

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The appeal is disposed of in terms of the signed order.

SLP (C) No. 18635 of 2011
We find no merit in this petition for special leave. It is dismissed.

|(N.S.K. Kamesh)
|Court Master

|(Sneh Bala Mehra)
|Court Master

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