

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.2924 OF 2012
(Arising out of SLP(C) No.12660 of 2008)

Shakti Singh and othersAppellants

versus

Municipal Corporation and othersRespondents

WITH

CIVIL APPEAL No.2926 OF 2012
(Arising out of SLP(C) No.12702 of 2008)

CIVIL APPEAL No.2925 OF 2012
(Arising out of SLP(C) No.12706 of 2008)

CIVIL APPEAL Nos.2927-2929 OF 2012
(Arising out of SLP(C) Nos.3919-3921 of 2009)

CIVIL APPEAL Nos.2930-2931 OF 2012
(Arising out of SLP(C) Nos.8406-8407 of 2011)

O R D E R

Delay condoned.

Leave granted.

These appeals are directed against order dated 25.4.2008 passed by the Division Bench of the Punjab and Haryana High Court in Writ Petition No. 8276 of 2006 and connected matters whereby the selection and appointment of the appellants on the post of Driver in the Fire Wing of Municipal Corporation, Chandigarh (for short, 'the Corporation') were quashed.

The arguments in these matters were heard on 8.2.2012 and the case was adjourned with the direction that the Commissioner of the Corporation shall appear on the next date, i.e. 16.2.2012 with the

entire record relating to selection. On the next date of hearing, the Municipal Commissioner appeared along with the counsel for the Corporation and produced the relevant records.

During the course of further hearing, learned senior counsel for the appellants submitted that if the Corporation can accommodate the writ petitioner, it may not be necessary for this Court to decide the

issues raised in these appeals. Thereupon, the learned counsel for

the Corporation sought adjournment to enable the Municipal Commissioner to seek instructions from the Competent Authority whether it will be possible and feasible to accommodate the writ petitioner.

Today, Shri Manpreet Singh Doabia, learned counsel for the Corporation stated that the Competent Authority has decided to accommodate writ petitioner Shri Kapil by appointing him as a Driver in the Fire Wing of the Corporation. Shri Doabia stated that the order of appointment will be issued within a period of seven days from today.

Learned counsel for the writ petitioner (respondent No.1 in SLP (C) No. 12702 of 2008) submitted that in view of the statement of the learned counsel for the Corporation, his client may be permitted to withdraw the writ petition.

In view of the statements made by the learned counsel for the parties, the appeals are disposed of in the following terms:

1. The impugned order is set aside.
2. Within 7 days from today, the Competent Authority shall

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issue order appointing writ petitioner Shri Kapil as Driver in the Fire Wing of the Corporation.

3. On his appointment, Shri Kapil shall be entitled to seniority, pay fixation and other service benefits from the date of joining the service. This would necessary mean that he shall have not be entitled to claim seniority over those including the appellants who have already been appointed as Drivers in the Fire Wing of the Corporation.

.....J.
(G.S. SINGHVI)

.....J.
(SUDHANSU JYOTI MUKHOPADHAYA)

NEW DELHI;
MARCH 16, 2012.

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).12660/2008

(From the judgement and order dated 25/04/2008 in CWP No.8276/2006
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

SHAKTI SINGH & ORS.

Petitioner(s)

VERSUS

MUNICIPAL CORPORATION & ORS.

Respondent(s)

(With appln(s) for permission to file additional documents and with
prayer for interim relief and office report)

(For final disposal)

WITH SLP(C) NO. 12702 of 2008

(With prayer for interim relief and office report)

(For final disposal)

SLP(C) NO. 12706 of 2008

(With prayer for interim relief and office report)

(For final disposal)

SLP(C) NO. 3919-3921 of 2009

(With office report)

(For final disposal)

SLP(C) NO. 8406-8407 of 2011

(With application for condonation of delay in filing SLP and
permission to file additional documents and office report)

Date: 16/03/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr.V.K.Jhanji, Sr.Adv.
Ms.Jyoti Mendiratta, Adv.
Mr.Vaibhav Kumar, Adv.

For Respondent(s) Mr.Shish Pal Laler, Adv.
in SLP(C)12660/08 & Mr.N.P.Midha, Adv.
12702/08 & for petr. Mr. Balbir Singh Gupta, Adv.
in SLP(C)8406-07/11

For Municipal Corp., Mr.Manpreet Singh Doabia, Adv.
Chandigarh Mr. Sudarshan Singh Rawat, Adv.

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For RR-1 in SLP(C) Mr.Prakash Sinha, Adv.
12702/2008 Mr.Shaikh Chand Saheb, Adv.
Mr.Vikrant Bhardwaj, Adv.
Mr.Shekhar Prit Jha, Adv.

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

Delay condoned.

Leave granted.

The appeals are disposed of in terms of the signed order.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master

(Signed order is placed on the file)