

C.A.No. 1379 OF 1998

ITEM No.108

Court No. 1

SECTION XIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No. 1379 of 1998

State of Orissa and Ors.Appellant (s)

VERSUS

Makar Chandra RoutrayRespondent (s)

(With office report)

Date : 18/09/2003 This appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ASHOK BHAN
HON'BLE MR. JUSTICE S.B. SINHA

For Appellant (s)Mr. Jana Kalyan Das, Adv.

For Respondent (s)

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

The appeal is allowed. No costs.

[Alka Dudeja][Suraj Parkash]
Court Master Court Master

(Signed order is placed on the file.)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal No. 1379 of 1998

State of Orissa and Ors.Appellant (s)

VERSUS

Makar Chandra Routray Respondent (s)

O R D E R

This matter stands concluded by the decision of this Court in the case of Pabitra Mohan Dash and Ors. Vs. State of Orissa and Ors., reported in 2001 (2) SCC 480, wherein it was held that a person, who has been appointed as Headmaster-in-charge cannot claim any right on the basis of that appointment even if the same has been approved by the competent authority.

Following the said decision, the judgment and order of the High Court is set aside. The appeal is allowed. No costs.

However, we make it clear that if any vacancy in the post of Headmaster arise, the respondent would be considered eligible for consideration for appointment on that post.

.....CJI.

.....J.
(Ashok Bhan)

.....J.

(S.B. Sinha)

New Delhi,
September 18, 2003.

