

ITEM NO.102

COURT NO.13

SECTION XVI

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. 10397/2011

MANJUSHA KUMARI

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 05-10-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Appellant(s)

Mr. Shree Prakash Sinha, Adv.
Mr. Shekhar Kumar, AOR
Mr. Vijay Kumar, Adv.
Mr. Janme Jay, Adv.
Mr. Rishabh Kumar, Adv.

For Respondent(s)

Mr. Ranbir Singh Yadav, AOR
Mr. Prateek Yadav, Adv.

Mr. Navanjay Mahapatra, Adv.
Mr. Bharath Sood, Adv.
Mr. Shantanu Sharma, Adv.
Mr. Anuj Udupa, Adv.
Mr. Ayush Anand, Adv.
Mr. Padmesh Mishra, Adv.
Mr. Rustam Singh Chauhan, Adv.
Mr. Arvind Kumar Sharma, AOR

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

Learned counsel appearing on behalf of the Department has stated that in view of the stay order passed in this case, Ms.Manjusha Kumari (the appellant) is working. On the previous date, the statement recorded by this Court was not based on proper instructions regarding working of respondent

No.4 also. Therefore, he prays for withdrawal of the said statement. As prayed, the prayer is allowed.

In the peculiar facts of the case, we direct the respondent-Department to file an affidavit clearly stating that after passing the impugned order, how many appointments on the post in question have been made by the Department, specifying its yearwise details.

It be also clarified in the affidavit why the Department may not be in a position to accommodate respondent No.4 though the fact remains that respondent No.4 had worked and have experience of working in Department.

List the matter after three weeks.

(NIDHI AHUJA)
AR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER