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SLP(C)No. 18862 OF 2000
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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal No. of 2001@@
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(Arising out of SLP(C) No. 18862 of 2000)

Ramniwas Rajput ...Appellant (s)

Versus

State of M.P. & Ors. ...Respondent(s)

With

Civil Appeal No. of 2001@@
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(Arising out of SLP(C) No. 119078 of 2000)

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Leave granted.

These two appeals are directed against the impugned order of the High Court of Madhya Pradesh. Original Applications having been filed before the Tribunal alleging that respondent no. 4 who was junior to the applicants, was regularised and yet the appellants were not regularised, the Tribunal directed that the applicants should be regularised w.e.f. the date on which Respondent No.4 was appointed in a regular cadre and the applicants are entitled to the consequential benefits thereof.

The State approached the High Court. The High Court being of the opinion that the employees only have a right of consideration and not regularisation, remitted the matter again to the Tribunal for reconsideration. The State is represented before us and the learned counsel is not in a
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position to ascribe any reason as to why Respondent No. 4 - Sri Vishwambhar Singh Bhadoriya should be given any preferential treatment in the matter when admittedly he was junior to each of these appellants. In that view of the matter, the Tribunal was wholly justified in issuing the direction for regularisation in favour of the applicants-appellants and the High Court committed error in remitting the matter again to the Tribunal for reconsideration. We, therefore, set aside the impugned order and affirm the order of the Tribunal.

These appeals stand dispose of accordingly.

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(G.B. PATTANAIAK)@@

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New Delhi
October 08, 2001.

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(RUMA PAL)@@
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ITEM No.25

Court No. 2

SECTION IVA
A/N MATTER

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.18862/2000

(From the judgement and order dated 04/07/2000 in WP 705/99
of The HIGH COURT OF M.P AT GWALIOR)

RAMNIWAS RAJPUT

Petitioner (s)

VERSUS

STATE OF M.P. & ORS.

Respondent (s)

(With prayer for interim relief)

IA 4-5 (Permission to file rejoinder and exemption from filing O.T)

With
SLP(C)No.19078/2000

Date : 08/10/2001 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAİK
HON'BLE MRS. JUSTICE RUMA PAL

For Petitioner (s)

Mr. Sushil Kumar Jain,Adv.

For Respondent (s)

Mr. Sakesh Kumar, Adv.
Mr. B.S. Banthia,Adv.

Ms.Vibha Dutta Makhija, Adv.
Mr. Siddharth Dave, Adv.
Mr. S.K. Agnihotri, Adv.

UPON hearing counsel the Court made the following
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Leave granted.
The appeals stand disposed of in terms of the signed

order.

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(J.S. Rawat)
Court Master

(Suneet Bala Sharma)
Court Master

(Signed order is placed on the file)