

ITEM NO.105

COURT NO.13

SECTION IV-A

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(s). 7287/2010

R.C.SHUKLA

Appellant(s)

VERSUS

STATE OF MADHYA PRADESH. & ORS.

Respondent(s)

Date : 23-01-2020 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR
HON'BLE MR. JUSTICE K.M. JOSEPH

For Appellant(s) Mr. Praveen H. Parekh, Sr. Adv.
Ms. Sonal Gupta, Adv.
Ms. Pratyusha Prtyaoarshdut, Adv.
Ms. Nikhil Ramdesh, Adv.
Ms. Ashna, Adv. for
M/S. Parekh & Co., AOR

For Respondent(s) Ms. Tanvi Bhatnagar, Adv.
Mr. Harsh Parashar, Adv.
Mr. M. A. Krishna Moorthy, AOR

Mr. Aditya Ranjan, AOR

Mr. Kunal Verma, AOR
Mr. Ashwin Kumar Nair, Adv.
Mrs. Yugandhara Pawar Jha, Adv.

Mr. B. S. Banthia, AOR

UPON hearing the counsel the Court made the following

O R D E R

The Appeal is disposed of in terms of the signed order.
Pending application(s), if any, shall stand(s) disposed
of.

(SUMAN WADHWA)
AR CUM PS

((R.S. NARAYANAN)
COURT MASTER (NSH)

Corrected Signed order is placed on the file.

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RECORD OF PROCEEDINGS

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Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7287 OF 2010

R.C.ShuklaAppellant(s)

Vs.

State of Madhya Pradesh & Ors.Respondent(s)

O R D E R

The learned single Judge in W.P. No. 2584 of 2003 had set aside the order of the State Government and remitted the matter to State Government to take a fresh decision in the matter With regard to equivalence of post of the Appellant as well as respondent No.3 herein. The said order was confirmed by the Division Bench in W.P. No. 425 of 2008. Thus, it was for the State Government to reconsider the matter.

The order of the single Judge and the Division Bench are questioned in this appeal.

While issuing notice, no interim order granted by this court. Consequently, the State Government reconsidered the matter pursuant to the order passed by the learned single Judge dated 28.03.2008.

The State Government on reconsideration has passed the order afresh on 23.12.2008. Since the matter is reconsidered pursuant to the order passed by the learned single Judge, it is open for the aggrieved parties including appellant herein, to question the said order dated 23.12.2008, if they so chose. With these observations the matter stands dismissed.

Mr. P.H. Parekh, Learned senior counsel however submits that in case this appeal is allowed in his favour, the order passed by the State Government on 23.12.2008 will automatically renders itself infructuous . We decline to accept such submissions. Since the State Government has already passed the order afresh, it is open for the appellant to question by taking recourse to law.

The Appeal is disposed of accordingly.

Pending application(s), if any, shall stand(s) disposed of.

.....J.
(Mohan M. Shantanagoudar)

.....J.
(K.M. Joseph)

New Delhi;
23rd January, 2020.