

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

Petition(s) for Special Leave to Appeal (Civil) No.8393/2000

(From the judgement and order dated 27/10/1998 in CR 3789/97
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

C.C.S. HARYANA AGRL.UNIVERSITY

Petitioner (s)

VERSUS

A.D. TANEJA

Respondent (s)

Date : 06/11/2000 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M. JAGANNADHA RAO
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Petitioner (s) Mr.Y. Adhyaru,Adv.
Mrs. Nandini Gore,Adv.

For Respondent (s) Mr. Balbir Singh Gupta,Adv.

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

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Special leave granted. The appeal is dismissed
with no order as to costs.

(Usha Bhardwaj)
P.S. to Registrar

(S.Malkani)
Court Master

Signed order is placed on the file.

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.....L.....I.....T.....T.....T.....T.....T.....T.....J.
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2000@@
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(Arising out of SLP(Civil) No.8393 of 2000)

C.C.S. Haryana Agricultural UniversityAppellant

versus

Dr.A.D. Taneja

.....Respondents

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Special leave granted.

We have heard learned counsel for the appellant and learned counsel for the respondent. This appeal is preferred by the University.

The University contended that the respondent is not eligible by the date of the report of the expert committee on 10.3.93 as he had not put in 8 years of service as Asstt. Professor by that date. The respondent Dr. A.D. Taneja was initially shown as having been promoted on 1.1.85 but subsequently the matter was reconsidered on 23.11.87. The said letter dated 23.11.87 refers to the decision taken at meeting on 23.3.87 and it clearly states that the Board of Management is pleased to advance the date of personal promotion of the Asstt. Professor with effect from 1.1.83 by giving them proforma seniority only without the

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benefit of arrears. In the table shown below the above said resolution, it was stated that Dr.A.D. Taneja's date of personal promotion was 1.1.85. The appropriate construction of the above order would be that Management intended that the promotion was to be effective from 1.1.83 but it is described as proforma for the limited purpose of not paying arrears i.e. seniority without benefit of arrears. The result of the said resolution would therefore be that the date of promotion of Dr. A.D.Taneja will be 1.1.83 rather than 1.1.85 in the category of Asstt. Professor. It must be held that he was eligible by the date of the meeting of the expert committee, he having put in 8 years of service by that date. Therefore, the view taken by the trial court appears to be correct one.

The appeal is dismissed accordingly. There shall be no order as to costs.

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.....J.
(M. Jagannadha Rao)

New Delhi,
November 6, 2000

.....J.
(K.G. Balakrishnan)