

ITEM NO.8

COURT NO.14

SECTION XIV

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)...../2010
CC 17635-17636/2010

(From the judgement and order dated 18/02/2009 & 9.4.1010 in
WP No. 4005/1997 & CMP No. 6487/2009 of The HIGH COURT OF
DELHI AT N. DELHI)

S.S. JOSAN

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for c/delay in filing SLP,c/delay in refiling
SLP

Date: 10/12/2010 These Petitions were called on for hearing
today.

CORAM :

HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Mr.K.V.Vishwanathan,Sr.Adv.
 Mr.Yatendra Sharma,Adv.
 Mrs V.D. Khanna,Adv.

For Respondent(s) Mr.G.D.Gupta,Sr.Adv.
 Mr.S.K.Gupta,Adv.
 Mr. Balbir Singh Gupta,Adv.

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

Delay in filing and re-filing the Special Leave Petitions
are condoned.

2

We have heard learned senior counsel appearing for the parties.

Having gone through the judgment and order dated 18.2.2009 passed by the Division Bench of the Delhi High Court along with the order dated 9.4.2010 passed by the same Division Bench by way of correction of its earlier order, we are of the considered opinion that the apprehension of the petitioner as raised in these petitions are misplaced as according to us the implication of the correction which is made regarding seniority is in respect of the respondents themselves herein personally holding that they would also get seniority by way of consequential benefits. The said order of giving seniority to the respondents under the order dated 9.4.2010 does not in any manner changed the nature and character of the directions issued by the High Court stating and holding that the question of inter se seniority amongst the parties is left open as the same did not arise in the Writ Petition.

Needless to state that this order would not in any manner affect the right of the respondent to get their seniority in terms of the order passed by way of correction by the same would not amount to determining inter se seniority amongst the parties.

The Special Leave Petitions are disposed of with the aforesaid observations and directions.

(KUSUM SYAL)
SR.P.A.

(RENU DIWAN)
COURT MASTER