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ITEM NO.5

COURT NO.13

SECTION XV

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(s).26292/2010

(From the judgement and order dated 29/01/2010 in LPA Nos.313/2002 and 639/2012 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

MOHMEDASIM ABDULSAMAD BINHAMID

Petitioner(s)

VERSUS

VADODARA MUN.CORP.TR.MUN.COMMR.& ORS.

Respondent(s)

(With appln(s) for c/delay in filing SLP and prayer for interim relief and office report)

WITH SLP(C) NO. 26405 of 2010

(With appln(s) for c/delay in filing SLP and prayer for interim relief and office report)

Date: 16/07/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

HON'BLE MR. JUSTICE KURIAN JOSEPH

For Petitioner(s)

Mr. C.B. Gururaj, Adv.  
For Mr. Debasis Misra, Adv.

For Respondent(s)

Mr. Purvish Jitendra Malkan, Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

Heard counsel for the parties.

We find no infirmity in the view taken by the Division Bench of the High Court which held that the employer has absolute right to fix the qualification for recruitment and promotion.

The petitioners admittedly do not have the required qualification and thus not fit for promotion.

Under the circumstance, the petitioners have no case. The special leave petitions are dismissed accordingly.

|(Neetu Khajuria)

|(S.S.R. Krishna)

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|Sr.P.A.

|Court Master

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