

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9077 OF 2017
[@ SPECIAL LEAVE PETITION (C) NO. 25435 OF 2008]

MANNU PRASAD SINGH

Appellant(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.
2. The matter pertains to the appointment of an Extra Department Branch Post Master in the year 2001. According to the appellant, he has been continuing in service ever since 2001. The dispute is between the appellant and Respondent No. 4.
3. It appears that despite several efforts, Respondent No. 4 could not be served. Be that as it may, the Central Administrative Tribunal has directed the Union of India to reconsider the matter of selection.
4. We make it clear that in the process of reconsideration, the appellant as well as Respondent No. 4 shall be afforded an opportunity of hearing. In case Respondent No. 4 does not turn up for the hearing, it will be treated for all purposes that the appellant had been appointed validly and he would be continuing as per rules.

5. However, we make it clear that in the process of reconsideration, all the contentions raised by the appellant shall be looked into. We also make it clear that in the fresh consideration as per the directions of the Central Administrative Tribunal, notice needs to be issued to the appellant and the fourth respondent only.

6. Needless also to say that the reconsideration shall be made untrammelled by any observations and findings of the Central Administrative Tribunal.

7. With the above observations and directions, this appeal is disposed of with no order as to costs.

8. Since we have disposed of the appeal, the order dated 02.09.2016 for deposit of costs of Rs. 5,000/- is recalled.

.....J.
[KURIAN JOSEPH]

.....J.
[R. BANUMATHI]

New Delhi;
July 14, 2017.

ITEM NO.1

COURT NO.6

SECTION XVI

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 (C) No(s). 25435/2008

(Arising out of impugned final judgment and order dated 13-05-2008 in CWJC No. 5915/2007 passed by the High Court Of Patna)

MANNU PRASAD SINGH

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

Date : 14-07-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. Amit Pawan, AOR
Mr. Anand Nandan, Adv.
Mr. Akshat Srivastav, Adv.
Mr. Hassan Zubair Waris, Adv.
Mr. Gaurav Singh, Adv.
Mr. Akshay Sinha, Adv.

For Respondent(s) Mr. S. Wasim A. Qadri, Adv.
Mr. R. R. Rajesh, Adv.
Mr. Saeed Qadri, Adv.
Mr. G. S. Makkar, Adv.

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

Leave granted.

The appeal is disposed of in terms of the signed
non-reportable Judgment

Pending interlocutory applications, if any, stand disposed of.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR

(Signed non-reportable Judgment is placed on the file)