

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). 1862-1863 OF 2010

M.P. STATE ELECTRICITY BOARD & ORS. ... APPELLANT(S)

VERSUS

SATYANARAYANA CHOUDHARY ...RESPONDENT(S)

WITH

C.A. No. 1849/2010, C.A. Nos. 1850-1851/2010,
C.A. No. 1852/2010, C.A. Nos. 1853-1854/2010,
C.A. Nos. 1855-1856/2010, C.A. Nos. 1857-1858/2010,
C.A. Nos. 1859-1860/2010 and C.A. No. 1861/2010

O R D E R

Heard learned counsel for the parties.

The respondents' counsel raised the preliminary question regarding the maintainability of these civil appeals on the same ground that these appeals by special leave petitions are filed by the same appellants challenging the order passed by the Division Bench of the High Court dated 15.01.2007 in Writ Appeal No. 86 of 2006 affirming the order passed by the learned Single Judge. In the previous special leave petitions filed by the appellants questioning the very same order of the Division Bench, referred to supra, whereby the liberty was given to the appellants to

question the correctness of the relief granted in respect of 60% covered in Annexure P-5. The respondents are the employees as mentioned in Annexure P-5. The liberty was not granted in favour of the appellants to question the correctness of the order if the order of review passed will be against them. In these appeals, the appellants have questioned the correctness of the order of the Division Bench of the High Court again in these appeals. The relief sought for in the Review Petitions is granted to the appellants.

Strong reliance is placed by learned counsel for the respondents on the judgment of this Court in the case of Vinod Kapoor vs. State of Goa & Ors., 2012 (12) SCC 378.

In view of the aforesaid judgment of this Court, the preliminary objections raised by the learned counsel for the respondents that the appeals are not maintainable as the liberty was not given to question the impugned order dated 15.01.2007 passed by the Division Bench of the High Court, therefore, the appeals are liable to be dismissed on this ground alone.

The civil appeals are dismissed accordingly.

There shall be no order as to costs.

.....J.
(V. GOPALA GOWDA)

.....J.
(S. A. BOBDE)

NEW DELHI,
DECEMBER 3, 2015

ITEM NO.101

COURT NO.10

SECTION IV

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). 1862-1863/2010

M.P. STATE ELECTRICITY BOARD & ORS.

Appellant(s)

VERSUS

SATYANARAYANA CHOUDHARY

Respondent(s)

WITH

C.A. No. 1849/2010

(With appln.(s) for impleadment and appln.(s) for directions and
appln.(s) for exemption from filing O.T. and)

C.A. Nos. 1850-1851/2010

C.A. No. 1852/2010

C.A. Nos. 1853-1854/2010

C.A. Nos. 1855-1856/2010

C.A. Nos. 1857-1858/2010

C.A. Nos. 1859-1860/2010 and

C.A. No. 1861/2010

Date : 03/12/2015 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA

HON'BLE MR. JUSTICE S.A. BOBDE

For Appellant(s) Mr. S.K. Dubey, Sr. Adv.
Mr. B. S. Banthia, Adv.
Mr. Sachin Daga, Adv.
Mr. Bhaskar Roy, Adv.
Mr. Yogesh Tiwari, Adv.

For Respondent(s) Mr. U.N. Bhachawat, Sr. Adv.
Mr. Annam D. N. Rao, Adv.
Mr. A. Venkatesh, Adv.
Mr. Sudipto S., Adv.
Ms. Vaishali R., Adv.
Ms. Ankita Chadha, Adv.

Ms. K. V. Bharathi Upadhyaya, Adv.

Mr. Santosh Kumar, Adv.
Mr. Rajiv Ranjan Mishra, Adv.
Mr. V. Sushant Gupta, Adv.
Mr. Mushtaq Ahmad, Adv.

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

The civil appeals are dismissed in terms of the signed order. Consequently, the applications for impleadment and directions in Civil Appeal No. 1849/2010 are also dismissed.

(S. K. RAKHEJA)
COURT MASTER

(MALA KUMARI SHARMA)
COURT MASTER

(Signed order is placed on the file)