

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). 2452-2453/2009

(From the judgement and order dated 17/09/2007 in DBCSA No. 992/1997 and judgment and order dated 16.9.2008 in DBCRP No. 147 of 2008 of The HIGH COURT OF RAJASTHAN AT JAIPUR)

AMILAL KULHERI Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ORS. Respondent(s)

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

Date: 08/03/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY  
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s)

Mr. T.S. Doabia, Sr.Adv.(Appeared but  
Ms. Sunita Sharma, Adv. appearance slip not given)

For Respondent(s)

Dr. Manish Singhvi, AAG  
Mr. Devanshu Kumar Devesh, Adv.  
Mr. Milind Kumar,Adv.

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

Delay condoned.  
Leave granted.  
These appeals are disposed of in terms of the signed order.  
No order as to costs.

(Sukhbir Paul Kaur)  
Court Master

(Vijay Dhawan)  
Court Master

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.2291-2292 OF 2010  
(Arising out of S.L.P.(C) Nos.2452-2453 of 2009)

AMILAL KULHERI Appellant(s)

Versus

STATE OF RAJASTHAN & ORS. Respondent(s)

O R D E R

We have heard learned counsel for the parties.

Delay condoned.

Leave granted.

These appeals by special leave are directed against the judgment and order dated 17.9.2007 in D.B. Civil Special Appeal (writ) No.992 of 1997 and judgment and order dated 16.9.2008 in D.B. Civil Review Petition No.147 of 2008 passed by the High Court of Judicature for Rajasthan at Jaipur Bench, Jaipur.

Learned Single Judge disposed of the Writ Petition filed by the appellant directing regularisation of the services of the appellant with effect from 21st September, 1985.

On appeal preferred by the State, the Division Bench modified the order passed by the learned Single Judge and accordingly, directed the regularisation of the services of the appellant with effect from March

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20, 1993. The Division Bench altogether ignored the order passed by the Government regularising the services of the appellant with effect from 7th December, 1989 and without any reason directed the regularisation of the appellant with effect from March 20, 1993.

In the circumstances, the order passed by both the learned Single Judge as well as the Division Bench is modified. We hold that the appellant is entitled to regularisation of the services from 7th December, 1989 in view of the regularisation of other similarly situated persons.

Needless to observe that the appellant shall be entitled to all consequential benefits on account of

regularisation with effect from 7th December, 1989.

These appeals are accordingly, disposed of.

There shall be no order as to costs.

.....J.  
(B.SUDERSHAN REDDY)

.....J.  
(SURINDER SINGH NIJJAR)

New Delhi,  
March 08, 2010