

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. 4472 OF 2023

THE STATE OF TRIPURA & ORS.

APPELLANT(S)

VERSUS

RAKESH KURI & ORS.

RESPONDENT(S)

ORDER

After hearing learned counsel for the parties at length, we find that in furtherance to the advertisement for 58 posts of Hawildars (Engine Fitter) in Tripura State Rifles (TSR) Battalion published on 10.03.2017, only 19 persons have participated in the process of selection within the State of Tripura. Out of which 17 candidates were found eligible in the physical, written and oral tests as specified.

All these persons have been appointed after passing of the impugned judgment vide government order dated 10.05.2022. During hearing, the appointment order has been produced, by which the appointments made are subject to the outcome of this appeal.

It was also apprised that the persons appointed have been extended multiple trainings, out of which last training consisted of 16 weeks at Government cost. Thus, on appointment, looking to the said subsequent development, at present we are not inclined to interfere with the order impugned. In this view, the civil appeal stands dismissed.

We make it clear that dismissal of this civil appeal is in the peculiar facts and would not have any adverse impact on other pending cases and those cases may be decided on their own merit.

Pending interlocutory application(s), if any, is/are disposed of.

.....J.
[J. K. MAHESHWARI]

.....J.
[RAJESH BINDAL]

New Delhi;
August 08, 2024.

ITEM NO.101

COURT NO.8

SECTION XIV-A

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). 4426-4466/2023

PARTHA DAS & ORS.

Appellant(s)

VERSUS

THE STATE OF TRIPURA & ORS.

Respondent(s)

IA No. 130627/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 33623/2021 - CLARIFICATION/DIRECTION
IA No. 71181/2020 - INTERVENTION/IMPLEADMENT
IA No. 94199/2023 - INTERVENTION/IMPLEADMENT

WITH

C.A. No. 4473-4479/2023 (XIV-A)
IA No. 10465/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 4467-4468/2023 (XIV-A)

C.A. No. 4469/2023 (XIV-A)
(FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
94506/2020
IA No. 94506/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 4470/2023 (XIV-A)
(FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
126362/2020
IA No. 126362/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 4472/2023 (XIV-A)

C.A. No. 4471/2023 (XIV-A)

Date : 08-08-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE RAJESH BINDAL

For Appellant(s) Mr. Pallav Shishodia, Sr. Adv.
Mr. Danish Zubair Khan, AOR
Dr. Lokendra Malik, Adv.

Mr. Shuvodeep Roy, AOR

Mr. Kundan Kumar Mishra, AOR
Mr. Ratnesh Kumar, Adv.
Mr. Binish Kumar, Adv.

Mr. Vishal Prasad, AOR
Ms. Ritika Sethi, Adv.

For Respondent(s) Mr. R. Balasubramanian, Sr. Adv.
Mr. Shuvodeep Roy, AOR
Mr. Saurabh Tripathi, Adv.

Mr. B. H. Marlapalle, Sr. Adv.
Mr. Ajit Pravin Wagh, AOR
Mr. Avinish Kumar Saurabh, Adv.
Mr. Abhinav Anand, Adv.
Mr. Pushkar Priyadarsh, Adv.

Mr. P. V. Dinesh, Sr. Adv.
Mr. Zulfiker Ali P. S, AOR
Ms. Urvashi Chauhan, Adv.
Ms. Syed Nazarat Fatima, Adv.
Ms. Anna Oommen, Adv.

Mr. Abhishek Sarkar, Adv.
Mr. Atul Kumar, Adv.
Mr. Pranab Prakash, AOR

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

C.A.Nos. 4426-4466/2023 [Item No. 101] and C.A. No. 4473-4479/2023 [Item No. 101.1]

Heard learned counsel for the parties at length.

Arguments concluded.

Judgment reserved.

Brief written submissions, not more than 2 pages each, with reference to the citations relevant on the issue, be filed by the parties on or before 12th August, 2024. The relevant record may be handed

over, in a sealed cover, to the Court Masters on or before 12th August, 2024.

C.A. No. 4467-4468/2023 [Item No. 101.2]

Office Report indicates that service on Respondent No. 1 – Samudra Debbarma has been made effective through his Grandfather. It is informed that Respondent No. 1 is now in State Police Service recruited subsequently and working under the control of the State Government in Police Department.

Issue notice to Respondent No. 1 – Samudra Debbarma through the Head of the Department. In addition, Dasti notice shall be served on him for final hearing of the case. Affidavit of Dasti service be filed on or before the next date.

Re-list the matter on 21.08.2024 [Wednesday] .

C.A. No. 4469/2023 [Item No. 101.3] and C.A. No. 4471/2023 [101.6] and C.A. No. 4470/2023 [Item No. 101.4]

Re-list the cases along with Civil Appeal Nos. 4467-4468/2023 [Item No. 101.2] on 21.08.2024.

C.A. No. 4472/2023 [Item No. 101.5]

The civil appeal is dismissed in terms of the signed order.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
ASTT. REGISTRAR-cum-PS

(ANU BHALLA)
COURT MASTER

(Signed order in Civil Appeal No. 4472/2023 is placed on the file)