

ITEM NO.2

COURT NO.5

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Transfer Case (Civil) No.11/2017

LTCDR. M. RAMESH

Petitioner(s)

VERSUS

UNION OF INDIA MINISTRY OF DEFENCE & ORS.

Respondent(s)

(and IA No.132315/2017-CLARIFICATION/DIRECTION)

WITH

T.C.(C) No. 12/2017 (XVI-A)

T.C.(C) No. 13/2017 (XVI-A)

T.C.(C) No. 16-20/2017 (XVI-A)

(FOR ADMISSION)

T.C.(C) No. 23/2017 (XVI-A)

(FOR ADMISSION and IA No.108931/2017-INTERVENTION APPLICATION

Mr. Vivek Singh, Advocate for the Intervener)

T.C.(C) No. 46/2017 (XVI-A)

(FOR ADMISSION)

T.C.(C) No. 268/2017 (XVI-A)

(FOR ADMISSION)

T.C.(C) No. 48/2017 (XVI-A)

(FOR ADMISSION)

T.C.(C) No. 50/2017 (XVI-A)

(FOR ADMISSION)

T.C.(C) No. 49/2017 (XVI-A)

(FOR ADMISSION)

Date : 06-03-2018 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH

HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Ms. Anitha Shenoy, AOR
 Ms. Srishti Agnihotri, Adv.
 Ms. Remya Raj, Adv.

Ms. Usha Nandini. V, AOR

For Respondent(s) Mr. Naresh Kaushik, Adv.
 Mr. Vardhman Kaushik, Adv.
 Mr. Manoj Joshi, Adv.
 Mr. Omung Raj Gupta, Adv.
 Mr. Nishant Gautam, Adv.
 Mr. Karn Deo Baghel, Adv.

Mrs. Lalita Kaushik, AOR

Mr. A.K. Sanghi, Sr.Adv.

Mr. T.A. Khan, Adv.

Ms,. Aishwarya Bhati, Adv.

Ms. Rashmi Malhotra, Adv.

Mr. Himanshu Kaushik, Adv.

Mr. B.V. Balramdas, Adv.

Ms. Sushma Suri, AOR

Mr. Hrishikesh Baruah, AOR

For Intervenor

Mr. Dushyant Dave, Sr.Adv.

Mr. Shree Prakash Sinha, Adv.

Mr. Rakesh Mishra, Adv.

Ms. Mohua Sinha, Adv.

Mr. Ashutosh Kumar, Adv.

Mr. N. Kumar, Adv.

Mr. Vivek Singh, Adv.

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

Mr. Dushyant Dave learned senior counsel, points out that the judgment of the High Court of Delhi and High Court of Gauahati approving the induction through Limited Competitive Examination have become final and, therefore, the selection will have to be taken to its logical end.

Mr. A.K. Sanghi, learned senior counsel, however, points out that the Government of India has taken a policy decision to scrap the Limited Competitive Examination and the reasons are stated in an affidavit, which is filed on 12th January, 2018. But even going by the affidavit filed by the Government of India, the dire need for the officers cannot be ignored. The whole purpose for conducting the examination was to make up the shortage of the personnel. However, there is a serious concern with regard to seniority of the persons who have been inducted in the meanwhile.

The learned counsel for both sides shall address the Court on this concern on the next date of hearing. The parties are free to file additional documents, if any.

List on 13th March, 2018.

(USHA RANI BHARDWAJ)
AR CUM PS

(RENU DIWAN)
ASST.REGISTRAR