

NON-REPORTABLEIN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTIONCIVIL APPEAL NO. 2689 OF 2017
[@ SPECIAL LEAVE PETITION (C) NO. 20908 OF 2012]

RANAJIT KUMAR MEHER

Appellant(s)

VERSUS

STATE OF ORISSA & ORS.

Respondent(s)

J U D G M E N TKURIAN, J.

Leave granted.

1. In the affidavit filed on 15.10.2013 by the Joint Director, Directorate of Animal Husbandry and Veterinary Sciences, Government of Odisha, it is stated that the petitioner does not have the qualification prescribed under the Orissa Non-Gazetted Veterinary Technical Services (Recruitment & Conditions of Service) Rules, 1983, as amended in the year 1997. The whole crux of the argument of the learned counsel for the petitioner is that he possesses the qualification as per the advertisement issued on 16.01.2004.

2. Having heard the learned counsel appearing on both the sides, we are of the view that there cannot be any appointment in violation of the Rules. Qualification is to be seen with respect to the Rules and not the advertisement inviting applications. The appellant,

admittedly, does not possess the qualification as prescribed under the Rules.

3. The appeal is, accordingly, dismissed.

4. Pending interlocutory applications, if any, stand disposed of.

.....J.
[KURIAN JOSEPH]

.....J.
[A. M. KHANWILKAR]

New Delhi;
February 13, 2017.

ITEM NO.39

COURT NO.7

SECTION XIA

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). 20908/2012

(Arising out of impugned final judgment and order dated 09/01/2012 in WP No. 1508/2011 passed by the High Court Of Orissa At Cuttack)

RANAJIT KUMAR MEHER

Petitioner(s)

VERSUS

STATE OF ORISSA & ORS.

Respondent(s)

(For final disposal)

Date : 13/02/2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s) Mr. S. Mishra, Adv.
Mr. Swetaketu Mishra, Adv.
Mr. V. K. Monga, Adv.

For Respondent(s) Mr. Krishnayan Sen, Adv.
Ms. Asiya Khan, Adv.

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

Leave granted.

The appeal is dismissed 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)