

ITEM NO.6

COURT NO.7

SECTION XV

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 for Special Leave to Appeal (C) No.17886/2019

(Arising out of impugned final judgment and order dated 06-05-2019 in DBSAW No.1625/2018 passed by the High Court Of Judicature For Rajasthan At Jodhpur)

PAVNESH CHANDRA

Petitioner(s)

VERSUS

GVK EMRI & ANR.

Respondent(s)

(FOR ADMISSION)

Date : 30-08-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Ajit Kumar Thakur, Adv.
Ms. Sujata Kr. Raj, Adv.
Mr. Raj Kishor Choudhary, AOR

For Respondent(s) Mr. G. Vidya Sagar, Sr. Adv.
Mr. Syed Khaja Rahmatullah, Adv.
Ms. Nandini Gore, Adv.
Ms. Khushboo Bari, Adv.
Ms. Sonia Nigam, Adv.
M/s. Karanjawala & Co., AOR

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

The petitioner placed on record a copy of the rejoinder filed in the High Court in which following averment was made:

"That the averments made in para nos.ii of the preliminary objection are not admitted hence denied. It is further submitted that the private respondent is an agency to operate the service of Ambulance 108 and entire fund and finance assistance is being provided by the State Government and private respondent is only agent of State Government, therefore, the writ petition is maintainable against the respondents."

It would, therefore, be a question to be gone into whether the petition was rightly filed under Article 226 of the Constitution of India and what relief can be granted to the petitioner.

However, considering the fact that the petitioner was employed on contract for a period of 12 months out of which he had already worked for 10 months, in our view, the ends of justice would be met if we direct the respondents herein to make over a sum of Rs.25,000/- (Rupees twenty five thousand only) to the petitioner. We order accordingly.

Let a sum of Rs.25,000/- be made over to the petitioner within four weeks from today.

We however do not express any opinion on merits of the case and leave the matter to be decided in an appropriate case.

With the aforesaid observations, the special leave petition is disposed of.

Pending application(s), if any, shall stand disposed of.

(MUKESH NASA)
COURT MASTER

(NISHA TRIPATHI)
BRANCH OFFICER