

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 11035-11038 OF 2018
[@ SPECIAL LEAVE PETITION (C) NO. 11324-11327 OF 2017]

RAJBIR SINGH AND ORS ETC ETC. Appellant(s)

VERSUS

THE STATE OF HARYANA AND ORS ETC. ETC. Respondent(s)

WITH

CIVIL APPEAL NO(S). 11039 OF 2018
[@ SPECIAL LEAVE PETITION (C) NO. 12053 OF 2017]

CIVIL APPEAL NO(S). 11040 OF 2018
[SPECIAL LEAVE PETITION (C) NO. 21020 OF 2017]

CIVIL APPEAL NO(S). 11041 OF 2018
[SPECIAL LEAVE PETITION (C) NO. 18154 OF 2018]

J U D G M E N T

KURIAN, J.

1. Leave granted.
2. The appellants are aggrieved by the order dated 29.08.2016 passed by the High Court of Punjab and Haryana in EA-7 of 2015 in CWP - 22871 OF 2010 AND EA -8 OF 2015 IN CWP - 23224 OF 2010, EA-9 OF 2015 IN LPA 1579 OF 2010 AND EA - 10 OF 2015 IN LPA 854 OF 2012. The issue pertains to the appointment of Clerks in various departments under the first respondent. Before the High Court, the State took a

stand that there was no vacancy available, but the response to RTI applications has shown otherwise. Therefore, we set aside the order dated 29.08.2016 passed by the High Court and remit the matters to the High Court for consideration afresh in the light of the reply given to the RTI applications.

3. The appellants will file the additional documents before the High Court. The parties will appear before the High Court on 03.12.2018 and we request the High Court to dispose of the matter expeditiously and preferably before the Court closes for winter vacation.

4. The application(s) for intervention/impleadment is/are permitted to be withdrawn with liberty to approach the High Court for appropriate orders.

5. In view of the above, the appeals are disposed of.

.....J.
[KURIAN JOSEPH]

.....J.
[HEMANT GUPTA]

New Delhi;
November 16, 2018.

ITEM NO.57

COURT NO.2

SECTION IV-B

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). 11324-11327/2017

(Arising out of impugned final judgment and order dated 29-08-2016 in EA No. 7/2015 29-08-2016 in CWP No. 22871/2010 29-08-2016 in EA No. 8/2015 29-08-2016 in CWP No. 23224/2010 29-08-2016 in EA No. 9/2015 29-08-2016 in LPA No. 1579/2010 29-08-2016 in EA No. 10/2015 29-08-2016 in LPA No. 854/2012 passed by the High Court Of Punjab & Haryana At Chandigarh)

RAJBIR SINGH AND ORS ETC ETC

Petitioner(s)

VERSUS

THE STATE OF HARYANA AND ORS ETC. ETC.

Respondent(s)

(I.A.NO.59303 (APPLICATION FOR TRANSPOSITION OF PROFORMA RESPONDENTS AS PETITIONERS)

(IA 40883/2017 - appointment of the applicant, 40886/2017 - correction in the name of the petitioner, 45720/2017 - intervention/impleadment)

WITH

SLP(C) No. 12053/2017 (IV-B)

SLP(C) No. 21020/2017 (IV-B)

SLP(C) No. 18154/2018 (IV-B)

(IA No. 95522 of 2018 - APPLICATION FOR DELETION OF THE RESPONDENTS)

Date : 16-11-2018 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE HEMANT GUPTA

Counsel for the parties

Mr. Mahabir Singh, Sr. Adv.
Mr. Gagan Deep Sharma, Adv.
Ms. Preeti Singh, Adv.
Mr. Shivam Jaiswal, Adv.

Mr. K. G. Bhagat, Adv.
Ms. Archana Midha, Adv.
Mr. Vineet Bhagat, AOR

Mr. Rakesh K. Mudgal, Adv.
Mrs. Alpana Malik, Adv.
Mr. Dinesh Mudgal, Adv.
Mr. Diptabrata Batabyal, Adv.
Mr. Vishal Chauhan, Adv.
Mr. Vishwa Pal Singh, AOR

Dr. J. P. Dhanda, AOR
Ms. Raj Rani Dhanda, Adv.
Mr. Vineet Dhanda, Adv.
Mr. N. A. Usmani, Adv.
Mr. Gopi Chand, Adv.

Mr. Jasbir Singh Malik, Adv.
Mr. B. P. Singh Dhakre, Adv.
Mr. Shakti Dhakre, Adv.
Ms. Usha Nandini. V, AOR

Mr. Harikesh Singh, Adv.
Mr. Satish Hooda, Adv.
Ms. Beena, Adv.
Mr. Kamal Mohan Gupta, AOR

Ms. Preeti Singh, AOR

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

Application for deletion of the respondents is allowed.

Application for transposition is allowed.

The application for correction of the name of the petitioner
is allowed.

Leave granted.

The appeals are disposed of in terms of the signed non-
reportable Judgment.

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

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR

(Signed non-reportable Judgment is placed on the file)