

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)...../2017
(CC No.2109/2017)

(Arising out of impugned final judgment and order dated 05/07/2016
in WA No. 321/2015 passed by the High Court of M.P., Bench at
Gwalior)

STATE OF M.P. AND ORS

Petitioner(s)

VERSUS

SARITA TANDAN

Respondent(s)

I.A. 1/2017(with c/delay in filing slp)

WITH

S.L.P.(C)...CC No. 2142/2017

(With appln.(s) for c/delay in filing SLP and Office Report)

Date : 10/02/2017 These applications were called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH

HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s) Mr. Ankit Kumar Lal,Adv.
Mr. Mishra Saurabh,Adv.
Ms. Vanshaja Shukla,Adv.

For Respondent(s)

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

Delay condoned.

The issue raised in these petitions is whether the
ad-hoc employees were entitled to get increment either
from the date of their original appointment or from the
date when they passed the qualifying test, in the Madhya
Pradesh Government Law and Legislative Affairs

Department. We find that the Full Bench of the High Court in the judgment dated 23rd November, 2015 in Writ Petition No.13259 of 2011 and connected matters has directly dealt with this issue and has held that the entitlement of the ad-hoc employees would be from the date of passing the required test.

The learned Single Judge could not consider this issue because the judgment of the Full Bench had not been delivered at that time. Though the Full Bench judgment was referred to in the impugned Division Bench judgment of the High Court, it appears that there is no reference to this crucial distinction. In the light of the Full Court judgment, the State should file Review Petitions before the High Court.

Hence, these special leave petitions are disposed of with the liberty available to the State to file Review Petitions before the High Court. In case the Review Petitions are filed within thirty days from today, we request the High Court to consider the same on merits.

(Anita Malhotra)
Court Master

(Renu Diwan)
Assistant Registrar