

ITEM NO.3

COURT NO.5

SECTION IV-A

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). 5323-5324/2017

(Arising out of impugned final judgment and order dated 28-09-2016 in RP No. 269/2015 26-06-2015 in WP No. 871/2014 passed by the High Court Of M.P. At Indore)

RITU MANGAL

Petitioner(s)

VERSUS

THE DIRECTOR, M.P. STATE KRISHI VIPANAN
BOARD & ORS.

Respondent(s)

Date : 03-05-2018 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) Mr. N. K. Mody, Sr. Adv.
Ms. Siddhi Padia, Adv.
Ms. Santosh Sharma, Adv.
Mr. M. P. Shorawala, AOR

For Respondent(s) Mr. B. S. Banthia, AOR
Mr. Sachin Daga, Adv.

Mr. Rajul Shrivastav, Adv.
Mr. K. Krishna Kumar, AOR

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

This is a case where the petitioner, a physically handicapped lady, who aspired for appointment as Accountant Grade-3 under the first respondent, has been in litigation since 2010.

Ms. B. S. Banthia, learned counsel appearing for the respondents, submits that the first respondent had taken steps for selection and appointment for various posts, including Accountant Grade-3 in the year 2017. But the process could not be finalised for the post of Accountant Grade-3 because of the interim orders

passed by this Court. We are informed that there are 13 vacancies of Accountant Grade III as of now. Though there are several contentious issues raised in these Special Leave Petitions, we are of the view that it is only in the interest of justice and for doing complete justice that the first respondent should accommodate the petitioner, in the peculiar facts of this case and give a quietus to the entire litigation and proceed with the selection and appointment to the remaining posts.

Accordingly, these Special Leave Petitions are disposed of with a direction to the first respondent to appoint the petitioner forthwith in the post of Accountant Grade-3. The petitioner shall not stake any other claim either with regard to seniority or otherwise. Her appointment, for all purposes, will be treated as a fresh appointment from the date of appointment.

Needless also to say that in case the petitioner has crossed the age, the same will stand relaxed.

We make it clear that this order is passed in the peculiar facts of this case and the same may not be treated as a precedent. In view of the above, the interim order dated 18.08.2017, subsequently modified on 21.08.2017, is vacated.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR