

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). 28247-28248/2015

(Arising out of impugned final judgment and order dated 03-04-2015 in SA No. 679/2014 05-06-2015 in RA No. 351/2015 in SA No. 679/2014 passed by the High Court Of Uttarakhand At Nainital)

RAGHUVIR SINGH NEGI

Petitioner(s)

VERSUS

THE STATE OF UTTARAKHAND & ORS.

Respondent(s)

(FOR EXEMPTION FROM FILING O.T. ON IA 4/2015 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS ON IA 49221/2017 FOR EXEMPTION FROM FILING O.T. ON IA 49222/2017)

Date : 14-07-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. S.R. Singh, Sr. Adv.
Mr. Anurag Tomar, Adv.,
Mr. Rameshwar Prasad Goyal, AOR

For Respondent(s) Ms. Rachana Srivastava, AOR
Ms. Monika, Adv.
Mr. Sukrit R. Kapoor, Adv.
Mr. Nitya Madhusoodanan, Adv.

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

Leave granted.

Heard learned counsel for the parties.

The appeals are allowed in terms of the signed
order.

(MADHU BALA)

COURT MASTER (SH)

(Signed order is placed on the file)

(MADHU NARULA)

COURT MASTER

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL Nos. 9181-82 OF 2017
(@ SPECIAL LEAVE PETITION (CIVIL) Nos.28247-28248 OF 2015)

RAGHUVIR SINGH NEGI

...APPELLANT(S)

VERSUS

THE STATE OF UTTARAKHAND AND ORS.

...RESPONDENT(S)

O R D E R

Leave granted.

Heard learned counsel for the parties.

The appellant was aggrieved by the condition in the Government Order dated 01.10.2012 laying down the minimum qualification of having B.Ed degree for being taken into Government service on provincialization of the private college. The appellant questioned the said qualification on the ground that he was duly qualified when he was appointed and had already rendered long service.

It is undisputed that the appellant has been in service for the last 23 years. At this stage, denial of appointment to the service would be too harsh.

Having regard to the length of service of the appellant, his eligibility for being taken into service on provincialization of the private institute where the appellant was employed could not be denied.

...2/-

Accordingly, we set aside the impugned order and allow the appeals.

This order is being passed mainly on account of the length of service of the appellant.

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

.....J.
[ADARSH KUMAR GOEL]

NEW DELHI
14TH JULY, 2017

.....J.
[UDAY UMESH LALIT]