

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE/ INHERENT JURISDICTION

CIVIL APPEAL NO. 7147 OF 2019

UNION OF INDIA

APPELLANT(S)

*VERSUS*

SATYAVEER SINGH DAGUR & ORS.

RESPONDENT(S)

W I T H

CONTEMPT PETITION (C) NO.679 OF 2020

IN

CIVIL APPEAL NO. 1567 OF 2017

O R D E R

CIVIL APPEAL NO. 7147 OF 2019:

This appeal stands disposed of in terms of the Judgment dated 14.01.2020 passed in Civil Appeal No.1567 of 2017 titled "Siddaraju vs. State of Karnataka & Ors." reported in 2020 SCC OnLine SC 45.

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

CONTEMPT PETITION (C) NO.679 OF 2020 IN CIVIL APPEAL  
NO.1567 OF 2017:

This contempt petition has been filed complaining of non-compliance of the directions issued by this Court in

Siddaraja vs. State of Karnataka reported in 2020 SCC OnLine SC 45. The facts necessary for disposal of this contempt petition are that the petitioner was appointed on 25.02.1992 as Sub-Engineer in the Madhya Pradesh Housing and Infrastructure Development Board ("Board") in the quota earmarked for Persons with Disabilities. The petitioner alleges that the directions issued by this Court in *Union of India & Anr. v. National Federation of the Blind & Ors.* reported in (2013) 10 SCC 772, *Rajeev Kumar Gupta & Ors. v. Union of India & Ors.* reported in (2016) 13 SCC 153 and *Siddaraju v. State of Karnataka* have not been implemented. The petitioner contends that the compliance of the directions issued in the aforementioned judgments would have resulted in his vertical mobility to higher posts. He has been promoted to the next category of Assistant Engineer only in the year 2018.

The contention of the State of Madhya Pradesh and the Board is that posts for reservation for Persons with Disabilities have been identified pursuant to the directions issued by this Court in *Union Of India & Anr. v. National Federation of the Blind & Ors.* There were no vacancies for promotion of the petitioner. A contempt petition was filed by the petitioner before the High Court for wilful disobedience of an order passed by the High Court to consider his representation which was

dismissed by the High Court. The learned counsel appearing for the State and the Board submitted that the directions issued by this Court have been complied with. An amendment has been made to the Madhya Pradesh Housing and Infrastructure Development Board (Organizational Structure and Recruitment) Regulations, 2016 ("Regulations") by providing for 6% reservation in the cadres identified in Schedule-I of Regulation 5.\_

We have given our anxious consideration to the issues raised by the petitioner in the contempt petition. We are of the considered opinion that the respondents cannot be held guilty of non-compliance of the directions issued by this Court in the judgments referred to supra. Posts for reservation for Persons with Disabilities have been identified pursuant to the said judgments. Identification of such posts would apply for all modes of recruitment namely, direct recruitment, promotion as well as recruitment by transfer as has been explained by this Court in the case Rajeev Kumar Gupta (supra).

The said judgment has been approved in Siddaraju's case. The State of Madhya Pradesh and the Board are directed to comply with the directions issued in the judgments referred to above by making direct recruitment and promotions of persons with disabilities in accordance with the amendment made to the Regulations.

The contempt petition, is accordingly disposed of.  
Pending application(s), if any, shall also stand disposed  
of.

..... J.  
( L. NAGESWARA RAO )

..... J.  
( B.V. NAGARATHNA )

NEW DELHI  
16<sup>th</sup> NOVEMBER, 2021.

ITEM NO.6

COURT NO.5

SECTION IV

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

Civil Appeal No(s).7147/2019

UNION OF INDIA

Appellant(s)

VERSUS

SATYAVEER SINGH DAGUR &amp; ORS.

Respondent(s)

(IA No.122269/2019 - PERMISSION TO FILE LENGTHY LIST OF DATES)

WITH

CONMT.PET.(C) No.678/2020 in C.A. No. 1567/2017 (IV-A)  
(IA No. 50712/2021 - APPLICATION FOR PERMISSION)

CONMT.PET.(C) No.679/2020 in C.A. No. 1567/2017 (IV-A)  
(Applns for deleting the name of petitioner/respondent,  
xemption from filing affidavit, exemption from filing O.T.  
intervention application, permission to file additional  
documents/facts/annexures)

CONMT.PET.(C) No. 686/2020 in C.A. No. 1567/2017 (IV-A)  
(Applns for amendment in cause title, appropriate  
orders/directions)

CONMT.PET.(C) No. 680/2020 in C.A. No. 1567/2017 (IV-A)  
(Applns for for permission, exemption from filing paper books)

CONMT.PET.(C) No. 282/2021 in C.A. No. 1567/2017 (IV-A)  
(Applns for exemption from filing paper books)

Date : 16-11-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO  
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Appellant(s)

Ms. Madhvi Diwan, ASG  
Mr. Sanjay Kumar Tyagi, Adv.  
Mr. Rajan Kumar Chourasia, Adv.  
Ms. Vaishali Sharma, Adv.  
Mr. Sachin Sharma, Adv.  
Mr. Arvind Kumar Sharma, AOR.

Mr. Jayna Kothari, Sr. Adv.  
Ms. Rukhsana Choudhury, AOR  
Ms. Deepika Hungenahally, Adv.

Mr. Sumeer Sodhi, AOR

Mr. Prashant Sharma, Adv  
Mr. Siddharth Sharma, Adv.

Mr. Kuriakose Varghese, Adv  
Mr. V. Shyamohan, Adv  
Mr. Surya Prakash, Adv  
Mr. Sudeep Aravind Panicker, Adv  
Ms. Sradhaxna Mudrika, Adv  
M/S. KMNP Law, AOR

Ms. Malini Poduval, AOR  
Ms. Babita Sant, Adv.

For Respondent(s)

Mr. Rajan Mani, Adv.  
Mr. Pukhrambam Ramesh Kumar, AOR  
Ms. Anupama Ngangom, Adv.  
Mr. Karun Sharma, Adv.  
Mr. Ritu Kumar, Adv

Mr. Saurabh Mishra, AAG  
Mrinal Gopal Elker, AOR  
Mr. Manish Yadav, Adv.

Mr. Shubhranshu Padhi, AOR  
Mr. Ashish Yadav, Adv.  
Mr. Rakshit Jain, Adv.  
Mr. Vishal Banshal, Adv.

Mr. R. C. Mishra, Sr Adv  
Mr. Ilin Saraswat, Adv  
Mr. Ananya Mishra, Adv  
Mr. Mahendra Kumar, Adv  
Mr. Rajnish Kumar Jha, AOR

Mr. G. Prakash, AOR  
Ms. Priyanka Prakash, Adv.  
Ms. Beena Prakash, Adv,  
Mr. Manan Sanghai Adv.

Mr. Sudarshan Rajan, AOR  
Mr. Mahesh Kumar, Adv.  
Mr. Hitain Bajaj, Adv  
Mr. Rohit Bhardwaj, Adv  
Mr. Vijay Kumar Sharma, Adv.  
Mr. Ramesh Rawat, Adv

Mr. Naresh Kaushik Adv  
Vardhman Kaushik AOR  
Ms. Lalitha Kaushik AOR  
Mr. Manoj Joshi Adv  
Mr. Nishant Gautam Adv  
Mr. Dhruv Joshi Adv  
Mr. Anang Singh, Adv

Mr. B Purushottama Reddy, Adv

Mr. Shashank Singh, AOR

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

Civil Appeal No.7147 OF 2019

This appeal is disposed in terms of the Judgment dated 14.01.2020 passed in Civil Appeal No.1567 of 2017 titled "Siddaraju v. State of Karnataka & Ors." reported in 2020 SCC OnLine SC 45.

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

Contempt Petition (C) No.678/2020, 680/2020 and 282/2021 in C.A. No. 1567/2017

List after four weeks.

Mr. G. Prakash learned counsel appearing for the State of Kerala is directed to obtain instructions for implementation of the proviso to Section 34 of the Rights of Persons with Disabilities Act, 2016.

Vakalatnama, if any, be filed in the meanwhile.

Contempt Petition (C) No.679/2020 in C.A. No. 1567/2017

The contempt petition is disposed of in terms of the signed order. Pending application(s), if any, shall stand disposed of.

Contempt Petition (C) No.686/2020 in C.A. No. 1567/2017:

I.A.No.40062/2021 - Application for amendment of cause title is allowed.

List on 02.12.2021.

In the meanwhile, additional documents, if any, be filed.

(B.Parvathi)  
Court Master

(Anand Prakash)  
Court Master

(Signed Order in C.A No.7147 Of 2019 and Contempt Petition © No.679/2020 in C.A. No.1567/2017 is placed on the file)