

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S) 10921 OF 2017
[Arising out of Special Leave Petition
(Civil) No.30004 of 2016]

COMMISSIONER/SECRETARY,
THROUGH ITS UNDER SECRETARY,
DEPARTMENT OF HEALTH, JAMMU
& ANR. . . . APPELLANT (S)

VERSUS

ANAND GOPAL MISRA . . . RESPONDENT (S)

ORDER

1. Leave granted.
2. We have heard the learned counsels for the parties.
3. We have considered the Government Order No.355-GAD of 1996 dated 30th April, 1996 under which the claim for regularization was made by the respondent - writ petitioner. We have also considered the order of the High Court dated 28th February, 2000 passed in SWP No.215 of 1998 directing consideration of the claim of the respondent - writ petitioner and the order

of the State Government dated 6th January, 2001 rejecting the claim of the respondent - writ petitioner.

4. Having read and considered the above materials on record we are of the view that the High Court was not justified in directing regularization of the respondent - writ petitioner who was not a daily wage earner and was employed on contract basis and had, in fact, worked for a period of one and half months only.

5. In view of the above, we allow this appeal and set aside the order of the High Court.

.....,J.
(RANJAN GOGOI)

.....,J.
(NAVIN SINHA)

NEW DELHI
AUGUST 25, 2017

