

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.8410 OF 2019
[ARISING OUT OF SLP(C) NO.26346/2019
(@ DIARY NO.3006/2019)]

MANAS KUMAR MISHRA & ORS.APPELLANT(S)

VERSUS

THE STATE OF ORISSA & ORS.RESPONDENT(S)

O R D E R

Delay condoned.

Leave granted.

Having heard learned counsel for the both sides, we are of the view that the impugned judgment and order passed by the High Court is liable to be set aside.

In spite of arriving at a finding that the rules have not been observed and there are illegalities in the selection process, the High Court has omitted to issue any directions. In fact, it appears that the High Court failed to notice that this Court in its earlier order dated 28.07.2016 in Civil Appeal No.1676/2015 and connected matters, had provided for joining the affected parties as parties to the petition so that the High Court may pass appropriate orders.

We accordingly allow this appeal, set aside the impugned judgment and order passed by the High Court, and remand the matter back to the High Court for dealing in

accordance with law and the earlier directions of this Court *vide* order dated 28.07.2016 in Civil Appeal No.1676/2015 and connected matters.

This order shall not come in the way of the respondent - State of Odisha accommodating the present appellants on merits, into service as Junior Assistant in supernumerary posts as Mr. Shibashish Misra, learned counsel for the respondent states that the State Government is examining the position of the appellants and will take a decision accordingly.

The High Court is requested to dispose of the matter as early as possible preferably within 12 months from the date the copy of this order is received.

.....J
[S.A. BOBDE]

.....J
[S. ABDUL NAZEER]

.....J
[KRISHNA MURARI]

NEW DELHI;
NOVEMBER 05, 2019.

