

ITEM NO.19+42

COURT NO.11

SECTION XI-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

Item No.19

Petition(s) for Special Leave to Appeal (C) No(s). 24017/2019

(Arising out of impugned final judgment and order dated 06-09-2019 in WP(C) No. 15326/2019 passed by the High Court Of Orissa At Cuttack)

WESCO UTILITY

Petitioner(s)

VERSUS

ASHUTOSH GHOSE & ORS.

Respondent(s)

(FOR ADMISSION and I.R.)

Item No.42SLP [C] NO.24077/2019
FOR ADMISSION AND IRSLP [C] NO.24147/2019
FOR ADMISSION

Date : 14-10-2019 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Mr. Hasan Murtaza, AOR
Ms. Bushra Waseem, Adv.
Ms. Gayatri Misra, Adv.

For Respondent(s)

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

The petitioner appears to have an apprehension arising from the last paragraph of the impugned order dated 06.09.2019 which reads as under:

"It is made clear that in the meantime, as undertaken by the Authorized Officer, the representation of the petitioner will be considered and thereafter a fresh gradation list will be prepared, and as a consequence thereof, the promotion will be given effect to."

Learned counsel for the petitioner states that what was undertaken by the Authorized Officers was that the representation of the respondent(s) before us would be examined and the promotion order issued in the meantime would thus stand withdrawn.

To our mind, that can be the only purport of the undertaking and the effect of the order and the order cannot be construed as if it is a direction to the petitioner before us to grant relief to the respondent(s) but only to examine the representation of the petitioner before the High Court and depending on the fate of that representation to issue fresh gradation list and consequential promotion.

If the petitioner before us has any apprehension on that account, it is at liberty to move an appropriate application before the High court in that behalf.

The Special Leave Petitions are disposed of.

Pending application, if any, stands disposed of.

(ASHA SUNDRIYAL)
COURT MASTER

(ANITA RANI AHUJA)
COURT MASTER