

ITEM NO.6

COURT NO.13

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 28704/2019

(Arising out of impugned final judgment and order dated 08-01-2019 in WPC No. 9292/2017 passed by the High Court Of Delhi At New Delhi)

NORTH DELHI MUNICIPAL CORPORATION

PETITIONER(S)

VERSUS

SURESH CHAND ARUN & ANR.

RESPONDENT(S)

(IA No. 178184/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

SLP(C) No. 28705/2019 (XIV)

(IA No. 32305/2021 - INTERVENTION APPLICATION, IA No. 32626/2021 - DIRECTION, IA 32627/2021- FOR TRANSPOSITION)

Date : 31-03-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s) Mr. R. Balasubramanian, Sr. Adv.
Mr. Praveen Swarup, AOR
Ms. Payal Swarup, Adv.
Mr. Ameet Singh, Adv.
Mr. Dawneesh Shaktivats, Adv.
Mr. Rahul Tomar, Adv.
Mr. R.K. Singh, Adv.
Mr. K.P. Singh, Adv.
Ms. Archana S., Adv.
Mr. Syed Jafar Husain, Adv.

For Respondent(s) Mr. N.S. Dalal, Adv.
Mr. Devesh Partap Singh, Adv.
Mr. Alok Kumar, Adv.
Ms. Rachana Dalal, Adv.
Mr. R. C. Kaushik, AOR

Mr. Aditya Ranjan, AOR

Mr. Hrishikesh Baruah, AOR

Ms. Radhika Gupta, Adv.

Mr. Rohit Pandey, Adv.

Mr. Varad Dwivedi, Adv.

Ms. Shashi Kiran, AOR

Mr. Satvic Mathur, Adv.

Mr. Vaibhav Maheshwari, Adv.

Ms. Radha Gupta, Adv.

Mr. M. K. Bhardwaj, Adv.

Ms. Priyanka Mitra Bhardwaj, Adv.

Ms. Riya Soni, Adv.

Mr. S.S. Bandhopadhyay, Adv.

Mr. Jayanta Bhattacharyya, Adv.

Mr. Ankit Verma, Adv.

Ms. Archana Kumari, Adv.

Ms. Shivangi Singh, Adv.

Mr. Rahul Gupta, Adv.

Mr. Shashank Sharma, Adv.

Miss Saket Gautam, Adv.

Mr. Satish Kumar, AOR

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

IA No. 32305/2021 for intervention in SLP(C) No. 28705/2019
is allowed in terms of the prayer and

IA No. 32627/2021 (for transposition) is allowed.

Learned Counsel for the petitioner during the course of arguments has tried to persuade this Court that those persons who are not qualified while working in General Duty Cadre and later absorbed in Public Health cadre may get seniority prior to acquiring eligibility/qualification in Public Health Cadre.

From the entire record made available before us, it nowhere

reveals that this question was raised either before the Tribunal or before the High Court and we are not inclined to permit to raise this question for the first time before this Court in the instant proceedings.

Taking into consideration the totality of the matter and the fact that there are only two contesting respondents and one of whom had retired, in the given facts and circumstances, we are not inclined to interfere with the order impugned under Article 136 of the Constitution.

The Special Leave Petitions are, accordingly, dismissed and the question of law is left open.

Pending application(s), including IA No. 32626/2021 for directions, shall stand disposed of.

(POOJA SHARMA)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)