

ITEM NO.10

COURT NO.8

SECTION XII-A

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 47084/2018
(Arising out of impugned final judgment and order dated 11-04-2016
in WP No. 37442/2014 in WP No. 36850/2014 in WP No.
36888/2014 in WP No. 36946/2014 in WP No. 37060/2014 in WP
No. 37443/2014 in WP No. 37461/2014 in WP No. 37640/2014
in WP No. 8413/2015 20-08-2018 in RWPMP No. 31740/2016 20-08-2018
in RWPMP No. 28575/2016 20-08-2018 in RWPMP No. 28244/2016 20-08-
2018 in RWPMP No. 29294/2016 20-08-2018 in RWPMP No. 29881/2016 20-
08-2018 in RWPMP No. 28687/2016 passed by the High Court of
Judicature at Hyderabad for the State of Telangana and the State of
Andhra Pradesh)

S.K. RAZIA BEGUM & ORS.ETC.

Petitioner(s)

VERSUS

THE STATE OF TELANGANA & ORS.ETC.

Respondent(s)

(IA No.7810/2019-CONDONATION OF DELAY IN FILING)

Date : 25-01-2019 This petition was called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE R. BANUMATHI
HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. Gaurav Pachnanda, Sr. Adv.
Mr. D. Mahesh Babu, AOR
Ms. Suchitra Hrangkhawal, Adv.
Mr. Sravan Kumar, Adv.
Mr. T.V. Bhaskar Reddy, Adv.

For Respondent(s)

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

Heard learned senior counsel appearing for the
petitioners both on merits of the matter.

Delay condoned.

The question involved in the special leave petition is
regarding the appointment of Anganwadi workers to the post of
Extension Officer Grade-II after the selection process pertaining

to the notification dated 8.7.2013. Both the Tribunal as well as the High Court in the writ petition held against the petitioners by holding that the grounds of challenge lack merit and the selection cannot be interfered with. When the matter was considered in the review, two learned Judges who heard the Review Petition disagreed with each other. In view of Order XLVII Rule 6 of CPC, 1908, Review Petition was dismissed. Order XLVII Rule 6 of CPC, 1908, reads as under:

"6. Application where rejected -

(1) Where the application for a review is heard by more than one judge and the Court is equally divided, the application shall be rejected.

(2) Where there is a majority, the decision shall be according to the opinion of the majority."

Learned senior counsel appearing for the petitioners has submitted that in the decision in Reliance Industries Ltd. vs Pravinbhai Jasbhai Patel & Ors., reported in 1997(7) SCC 300 (Para 11), it was held by Supreme Court that Rules in Letters Patent Appeal will prevail Order XLVII Rule 6 of CPC, 1908.

We do not find any good ground warranting interference with the impugned order in exercise of our jurisdiction under Article 136 of the Constitution of India.

The special leave petitions are dismissed. The question of law raised by the petitioners is kept open.

Pending applications, if any, shall stand disposed of.

(SWETA DHYANI)
SENIOR PERSONAL ASSISTANT

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER