

ITEM NO.2,2.1,2.2 Court 9 (Video Conferencing) SECTION XII

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). 4833/2020

(Arising out of impugned final judgment and order dated 17-09-2019 in WAMD No. 786/2019 passed by the High Court of Judicature At Madras At Madurai)

THE CHIEF ENGINEER GENERAL HIGHWAYS AND RURAL
WORKS DEPARTMENT CHEPAUK & ORS. Petitioner(s)

VERSUS

T KINGSLY THAYA SINGH Respondent(s)

(FOR ADMISSION and I.R. and IA No.96033/2020-CONDONATION OF DELAY IN FILING and IA No.96034/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.96035/2020-CONDONATION OF DELAY IN REFILING/ CURING THE DEFECTS)

WITH

Diary No(s). 4834/2020 (XII)
(FOR ADMISSION and I.R. and IA No.95950/2020-CONDONATION OF DELAY IN FILING and IA No.95952/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.95951/2020-CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS)

Diary No(s). 4838/2020 (XII)
(FOR ADMISSION and I.R. and IA No.97057/2020-CONDONATION OF DELAY IN FILING and IA No.97059/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.97058/2020-CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS)

Date : 12-01-2021 These petitions were called on
for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Jayanth Muthraj, Sr. Adv./AAG
Mr. Vinodh Kanna B., AOR

For Respondent(s)

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

Delay condoned.

Learned senior counsel for the petitioner(s) seeks to contend in these petitions that in terms of the GO MS No. 22 dated 28.02.2006, regularization of the services of the daily wage employees working in all Government departments would take place who have rendered 10 years service as on 01.01.2006. Learned counsel submits that in these matters that aspect has been dealt with by the learned Single Judge but in the impugned order the Division Bench has given a carte blanche benefit to all the parties without this factual aspect being examined as to whether they have at all worked for a period of 10 years. It is his submission that the respondents before us have not worked for that period of time so as to be covered by the GO.

The aforesaid being the position, we are of the view that the appropriate course of action would be for the petitioner(s) to move the High Court in this behalf by filing a review application for which we grant liberty and the High Court would examine each of the cases within the factual conspectus of the GO.

The special leave petitions are dismissed as withdrawn in terms aforesaid with the liberty granted.

In case of an adverse verdict, liberty granted to approach this Court again.

Pending application stand disposed of.

**[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS**

**[ANITA RANI AHUJA]
ASSISTANT REGISTRAR**