

(1972) 09 SC CK 0060

In the Supreme Court Of India

Case No : Civil Appeal No's. 1116 and 1117 of 1972

D. Satyanarayana and Another

APPELLANT

Vs

P.T. Reddy and Others

RESPONDENT

Date of Decision : 26-09-1972

Acts Referred:

Citation : AIR 1974 SC 2164 : (1972) 4 SCC 745 : (1973) 5 UJ 379

Hon'ble Judges : S. M. Sikri, C.J;M. Hameedullah Beg, J;I. D. Dua, J;D. G. Palekar, J;A. N. Ray, J

Bench : Full Bench

Final Decision : Allowed

Judgement

Ray, J.—Civil Appeals No. 1116 and 1117 of 1972 are by special leave From the judgment dated 28 September, 1970 of the Andhra Pradesh High Court.

2. These appeals arise out of writ petitions No. 3125 of 1968 and 4872 of 1968 filed in the Andhra Pradesh High Court.

3. In these two appeals the writ petitions were filed for writs directing the Central Government to prepare common gradation list of the Gazetted Officers of the Public Works Department of Andhra Pradesh in accordance with the decisions of the Central Government dated 24 December 1965 and 14 June, 1966. Other reliefs were also asked for.

4. The writ petitions out of which these two appeals arise were heard together with other matters. The High Court by common judgment dated 28 September, 1970 allowed the writ petitions except as against respondents No. 2 and 3 in Writ Petitions No. 4872 of 1968. The High Court by the common judgment directed the Government of India to prepare common gradation list in accordance with the principles laid down in their memoranda dated 24 December 1965 and 14 June, 1966. The High Court further directed that the State Government while giving promotions to the post of Chief Engineers should consider the petitioners in writ petitions No. 3125 and 4664 of 1968 as senior to the appellants and

appointments should be made on the basis of merit. The petitioners in writ petition No. 4872 of 1968 were held by the High Court not entitled to be considered for promotion to the post of Chief Engineers earlier than respondent No. 2 and 3 in that petition. The consequential reliefs were also granted by the High Court.

5. This court has already held that the decision of the Central Government dated 22/24 December 1966 is set aside. The Central Government under the States Reorganisation Act has been asked to proceed in accordance with law. The earlier decisions of the Central Government dated 24 December 1965 and 14 June 1966 do not stand in the way of fresh consideration by the Central Government of integration of services and determination of equation of posts in accordance with law and in the light of observations made in the judgment of this Court in Civil Appeals No. 2436-2439 of 1969 dated 23 August, 1972.

6. In the result the judgment of the High Court is set aside. The appeals are allowed, The Central Government will now prepare a fresh common gradation list in accordance with law. Parties will pay and bear their own costs in the High as well as in this Court.