
(2001) 10 SC CK 0006
In the Supreme Court Of India
Case No : Civil Appeal No. 7036 of 2001

Ravindra Sharma

APPELLANT

Vs

State of M.P. and Others

RESPONDENT

Date of Decision : 08-10-2001

Acts Referred:

Citation : (2003) 1 JLJ 350

Hon'ble Judges : Ruma Pal, J;G. B. Pattanaik, J

Bench : Division Bench

Advocate : S.K. Jain, for the Appellant;

Final Decision : Allowed

Judgement

G.B. Pattanaik, J.—Leave granted.

2. These two appeals are directed against the impugned order of the High Court of Madhya Pradesh. Original Applications having been filed before the Tribunal alleging that Respondent No. 4, who was junior to the applications, was regularised and yet the Appellants were not regularised, the Tribunal directed that the applicants should be regularised w.e.f. the date on which Respondent No. 4 was appointed in a regular cadre and the applicants are entitled to the consequential benefits thereof.

3. The State approached the High Court. The High Court being of the opinion that the employees only have a right of consideration and not regularisation, remitted the matter again to the Tribunal for reconsideration. The State is represented before us and the learned Counsel is not in a position to ascribe any reason as to why Respondent No. 4 Sri Vishwambhar Singh Bhadoriya should be given any preferential treatment in the matter when admittedly he was junior to each of these Appellants. In that view of the matter, the Tribunal was wholly justified in issuing the direction for regularisation in favour of the applicants-Appellants and the High Court committed error in remitting the matter again to the Tribunal for reconsideration. We, therefore, set aside the impugned order and affirm the

order of the Tribunal.

4. These appeals stand dispose of accordingly.