

(2011) 11 SC CK 0097
In the Supreme Court Of India
Case No : C.A. No. 10033 of 2011

Santosh Kumar Vishwakarma	Vs	APPELLANT
M.P. Housing Board and Others		RESPONDENT

Date of Decision : 21-11-2011

Acts Referred:

Citation : (2012) 2 MPJR 178

Hon'ble Judges : A.K. Shrivastava, J

Bench : Single Bench

Advocate : Neelam Goyal, for the Appellant; R.K. Verma, for the Respondent

Final Decision : Dismissed

Judgement

A.K. Shrivastava, J.—Delay Condoned.

2. Leave granted.

3. Heard counsel for the parties.

4. Having regard to the fact that the Appellant has been working as Chowkidar from 16.6.1984, we are satisfied that the learned Single Judge was justified in directing the Respondent, M.P. Housing Board, to regularize his services. The Division Bench was clearly in error in interfering with the order of the learned Single Judge and setting it aside.

5. We, accordingly, set aside the order of the Division Bench and restore the order of the learned Single Judge.

6. It is, however, clarified that the Appellant's regularization in service shall not confer on him any seniority so as to upset the existing seniority in the cadre. He would, however, be entitled to all monetary benefits and his retrial dues shall also be computed taking into account his regularization in services from the date of the order passed by the learned Single Judge.

7. This appeal is allowed.