
(2009) 02 SC CK 0238

In the Supreme Court Of India

Case No : Civil Appeal No's. 1756-1757 of 2009 (Arising out of SLP (C) No's. 18745-18746 of 2004) and C.A. No. 1758 of 2009 (Arising out SLP (C) No. 7269 of 2005)

State of Haryana and Others

APPELLANT

Vs

Ram Niwas and Others

RESPONDENT

Date of Decision : 16-02-2009

Acts Referred:

Citation : (2009) 4 SCALE 118 : (2009) 11 SCC 559

Hon'ble Judges : Tarun Chatterjee, J;H. L. Dattu, J

Bench : Division Bench

Advocate : Manjit Singh, Harikesh Singh and T.V. George, for the Appellant; Mahabir Singh S.N. Sharma, S. Vallinayagam, Y. Raja Gopala Rao, Nikhil Jain, Rakesh Dhaiya and Sunil Kumar Jain, for the Respondent

Final Decision : Allowed

Judgement

1. Delay condoned.

2. Leave granted.

3. In our view, these appeals are now concluded by the decision of this Court in the case of State of Punjab and Others Vs. Inder Singh and Others, .

4. Following the aforesaid decision i.e. State of Punjab and Others Vs. Inder Singh and Others, of this Court, the impugned order was passed by the High Court, in which the High Court had allowed the petition of the respondent by making the following directions:

However, keeping in view the order passed by the Supreme Court in Inter Singh case (supra) we direct that if within thirty days from today, the respondent opts to seek voluntary retirement from the post of sub Inspector, then his request be accepted and he be retired from that post. If he fails to give option, then the respondent shall be deemed to have been reverted to his parent cadre in District

Gurgaon on the post of Head Constable. In that event, he will be entitled to retain the promoted post of sub Inspector and will have to stand in queue for being considered for promotion from the dates his juniors in the parent cadre were promoted and that too after undergoing the requisite course and passing the prescribed examinations.

5. In view of the aforesaid decision of this Court, which squarely covers the present appeals, we dismiss these appeals. There will be no order as to costs.