

Rajbir Singh And Ors Etc Etc vs The State Of Haryana And Ors Etc. Etc. on 16 November, 2018

Equivalent citations: AIRONLINE 2018 SC 1264

Author: Kurian Joseph

Bench: Hemant Gupta, Kurian Joseph

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NON

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 11035-11038 OF 2018
[@ SPECIAL LEAVE PETITION (C) NO. 11324-11327 OF 2017]

RAJBIR SINGH AND ORS ETC ETC.

Appella

VERSUS

THE STATE OF HARYANA AND ORS ETC. ETC.

Respond

WITH

CIVIL APPEAL NO(S). 11039 OF 2018
[@ SPECIAL LEAVE PETITION (C) NO. 12053 OF 2017]

CIVIL APPEAL NO(S). 11040 OF 2018
[SPECIAL LEAVE PETITION (C) NO. 21020 OF 2017]

CIVIL APPEAL NO(S). 11041 OF 2018
[SPECIAL LEAVE PETITION (C) NO. 18154 OF 2018]

J U D G M E N T

KURIAN, J.

1. Leave granted.

2. The appellants are aggrieved by the order dated 29.08.2016 passed by the High Court of Punjab and Haryana in EA-7 of 2015 in CWP – 22871 OF 2010 AND EA

-8 OF 2015 IN CWP – 23224 OF 2010, EA-9 OF 2015 IN LPA 1579 OF 2010 AND EA – 10 OF 2015 IN LPA 854 OF 2012. The issue pertains to the appointment of Clerks in various departments under the first respondent. Before the High Court, the State took a stand that there was no vacancy available, but the response to RTI applications has shown otherwise. Therefore, we set aside the order dated 29.08.2016 passed by the High Court and remit the matters to the High Court for consideration afresh in the light of the reply given to the RTI applications.

3. The appellants will file the additional documents before the High Court. The parties will appear before the High Court on 03.12.2018 and we request the High Court to dispose of the matter expeditiously and preferably before the Court closes for winter vacation.

4. The application(s) for intervention/impleadment is/are permitted to be withdrawn with liberty to approach the High Court for appropriate orders.

5. In view of the above, the appeals are disposed of.

.....J. [KURIAN JOSEPH]J. [HEMANT GUPTA] New Delhi;

November 16, 2018.