

ANON-REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4747 OF 2017

(ARISING FROM SPECIAL LEAVE PETITION (C) NO.8886 OF 2017)

C.R. YADAV, HCS (RETD) APPELLANT(S)

VERSUS

STATE OF HARYANA AND ORS RESPONDENT(S)

J U D G M E N T

KURIAN, J.

Leave granted.

2. In the nature of order we propose to pass in this appeal, it is not necessary to issue notice to the respondents.

3. The appellant retired from service in the year 2000. He had already filed a writ petition disputing the seniority in the High Court in the year 1993 being Civil Writ Petition No.13601 of 1993. But it appears that the writ petition was taken up for hearing only in the year 2016 and the same was disposed of on 11.07.2016 holding that there is no point in deciding the case at that distance of time.

4. We are of the view that the High Court was not justified in rejecting the writ petition on the ground of retirement of the appellant. The writ petition had been pending when he retired. The judgment dated 11.7.2016 in Civil Writ Petition No.13601/1993 is, therefore, set aside. Consequently, the impugned judgment of the Division Bench is also set aside and the Civil Writ Petition is remitted to the High Court with a direction to hear the same on merits. The appellant being a

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senior citizen, we request the High Court to dispose of the writ petition expeditiously and preferably within six months.

5. The appeal is, accordingly, disposed of.

6. Pending applications, if any, shall stand disposed of.

7. There shall be no orders as to costs.

.....J.

[KURIAN JOSEPH]

.....J.

[R. BANUMATHI]

NEW DELHI;

MARCH 31, 2017.

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ITEM NO.45

COURT NO.7

SECTION IVB

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 8886/2017

(Arising out of impugned final judgment and order dated 08/02/2017

in LPA No. 2478/2016 passed by the High Court of Punjab & Haryana

at Chandigarh)

C.R. YADAV, HCS (RETD)

Petitioner(s)

VERSUS

STATE OF HARYANA AND ORS

Respondent(s)

(with appln. (s) for permission to place addl. documents on record)

Date : 31/03/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH

HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. J.P. Sharma,Adv.

Mr. Prakash Kumar Singh,Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is disposed of in terms of the signed judgment.

(NARENDRA PRASAD) (RENU DIWAN)

COURT MASTER ASSISTANT REGISTRAR

(Signed â SNon-Reportableâ \235 Judgment is placed on the file)