

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

Petition(s) for Special Leave to Appeal (Civil) No(s).19707-19708/2009
(From the judgement and order dated 09/09/2008 in WA No.448/2004,WA
No.465/2004 of The HIGH COURT OF GUWAHATI ,ASSAM)

BHUPENDRA NATH HAZARIKA & ANR. Petitioner(s)

VERSUS

STATE OF ASSAM & ORS. Respondent(s)

(With office report)
WITH SLP(C) NO. 963 of 2010
(With office report)

Date: 12/09/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s) Mr. Prashant Bhushan, Adv.

Mr. Sumeet Sharma, Adv.

[For Petitioners in SLP(C)
Nos.19707-19708/2009 and for
respondents No.17 in SLP(C)Nos.963/2010]

Mr. V. Shekhar, Sr.Adv.

Mr. Azim H. Laskar, Adv.

Mr. Vishal Saxena, Adv.

Ms. Shaveta Chaudhary, Adv.

Mr. Abhijit Sengupta, Adv.

[For Petitioners in SLP(C)Nos.963/2010 and
for respondents Nos.6 to 10
in No(s).19707-19708/2009]

For Respondent(s) M/S Corporate Law Group,A.O.R.

Mr. Balraj Dewan, A.O.R.

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

We have heard learned counsel on either side.

Learned counsel appearing for the petitioners submitted that had the proviso to Rule 18 of the Assam Police Service Rules, 1966 been invoked they would have been senior to the direct recruits. Learned counsel submitted that the State Government thought rather than giving the benefit of the proviso, as such, it would be better to give earlier appointment, so that they may get seniority from the date of their appointment.

Learned senior counsel for the respondents, however, submitted that appointment of special recruit was irregular and illegal, so found by the Tribunal and High Court and State Government had not challenged those findings. State is, therefore, bound to implement the orders, according to the counsel.

In order to bring a quietus to the litigation, it is appropriate that the State Government would examine the entire

matter and come out with some concrete solution.

List on 25.9.2012, on the top of the list, as part heard.

| (A.D. Sharma)

| | (Renuka Sadana)

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| Court Master

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