

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7501 OF 2011

PARAS RAM & ORS.

Appellant(s)

VERSUS

THE STATE OF HARYANA & ORS.

Respondent(s)

WITH

CIVIL APPEAL NO. 7510 OF 2011

J U D G M E N T

KURIAN, J.

1. The challenge in these appeals is to the Judgment dated 02.08.2005 passed by the High Court of Punjab and Haryana in Writ Petition No. 11526 of 1994. The issue pertains to the selection and appointment of Patwaris, initiated in the year 1992. The High Court, as per the impugned order, set aside the selection initiated for filling up 1248 Patwaris. However, liberty was granted to all the parties before the High Court to participate in the fresh selection with a relaxation in age. Some of the similarly situated appellants were before this Court leading to the Judgment of this Court dated

28.09.2007 passed in Ram Avtar Patwari & Ors. Vs. State of Haryana and Ors. reported in (2007) 10 SCC 94, wherein the entire matters were remitted to the High Court for fresh consideration.

2. We find that the High Court, subsequently, has disposed of the petitions by Judgment dated 11.02.2009 passed in CWP No. 11526 of 1994 (O & M). It is seen from the said Judgment dated 11.02.2009 that the High Court has taken a pragmatic view in permitting the 1248 Patwaris originally selected to continue. However, relaxation was given for others to participate in the fresh selection. We are informed that two subsequent selections have been conducted. It is not clear as to whether the appellants have participated in those selections.

3. Mr. Manoj Swarup, learned counsel appearing for the appellants, has made a vehement plea that the appellants having come up before this Court challenging the Judgment dated 02.08.2005, their cases should be separately considered. We are afraid, the contention cannot be appreciated. The Judgment dated 02.08.2005 has been upset by the Judgment of this Court dated 28.09.2007 in Ram Avtar Patwari (supra). The High Court has, pursuant to the remand, disposed of the cases afresh by Judgment

dated 11.02.2009. There is no challenge to that Judgment.

4. Be that as it may, having regard to the fact that this is an issue pertaining to the selection of Patwaris initiated in the year 1992, we are of the view that the whole litigation should be given a quietus, having regard to the pragmatic view taken by the High Court in the Judgment dated 11.02.2009. The appeals are, accordingly, dismissed.

.....J.
[KURIAN JOSEPH]

.....J.
[SANJAY KISHAN KAUL]

New Delhi;
September 19, 2018.