

ITEM NO.7

COURT NO.4

SECTION XIV

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).12430-12431/2019

(Arising out of impugned final judgment and order dated 03-05-2019 in WP(C) No. 109/2019 03-05-2019 in WP(C) No. 869/2019 passed by the High Court Of Delhi At New Delhi)

MINISTRY OF HOME AFFAIRS

Petitioner(s)

VERSUS

HIMANSHU KUMAR VERMA & ORS.ETC.ETC.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.80166/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

SLP(C) No. 12420-12421/2019 (XIV)

Diary No(s). 17770/2019 (XIV)

(FOR ADMISSION and I.R. and IA No.80285/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.80283/2019-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s). 17774/2019 (XIV)

(FOR ADMISSION and I.R. and IA No.80256/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.80254/2019-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s). 18267/2019 (XIV)

(FOR ADMISSION and I.R. and IA No.81505/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.81503/2019-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s). 18273/2019 (XIV)

(FOR ADMISSION and I.R. and IA No.81513/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.81541/2019-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s). 18279/2019 (XIV)

(FOR ADMISSION and I.R. and IA No.81560/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.81559/2019-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s). 18293/2019 (XIV)

(FOR ADMISSION and I.R. and IA No.81655/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.81654/2019-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s). 18295/2019 (XIV)

(FOR ADMISSION and I.R. and IA No.81645/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.81644/2019-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s). 18304/2019 (XIV)

(FOR ADMISSION and I.R. and IA No.81912/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.81911/2019-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s). 18305/2019 (XIV)

(FOR ADMISSION and I.R. and IA No.81627/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.81625/2019-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 17-05-2019 These petitions were called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE INDIRA BANERJEE
HON'BLE MR. JUSTICE SANJIV KHANNA
(VACATION BENCH)

For Petitioner(s)

Mr. Paramjit Singh Patwalia, Sr.Adv.
Mr. Rahul Srivastava, Adv.
Mr. Tushar Mathur, Adv.
Mr. Nikilesh Ramachandran, AOR
Ms. Sanjna Dua, Adv.
Mr. Navdeep Jain, Adv.
Mr. R.P. Chhibber, Adv.

Mr. Tushar Mehta, Solicitor General
Mr. Rajat Nair, Adv.
Mr. Rajan Kumar Chourasia, Adv.
Mr. Kanu Agarwal, Adv.
Mr. Arvind Kumar Sharma, AOR
Mr. B. V. Balaram Das, AOR

For Respondent(s)

Mr. Kapil Sibal, Sr.Adv.
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Mr. Sharad Chauhan, Adv.
Ms. Chaitanya Puri, Adv.

Mr. Kapil Sibal, Sr.Adv.
Mr. Ranjit Kumar, Sr.Adv.
Mr. Sandeep Sethi, Sr.Adv.
Mr. Mayank Jain, Adv.
Mr. Parmatma Singh, AOR
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Mr. Harin Raval, Sr. Adv.
Mr. Guru Krishna Kumar, Sr. Adv.
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Ms. Madhur Jain, Adv.

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

Heard learned counsel for the parties at length.

Permission to file special leave petitions is granted.

In exemplary fairness, learned Solicitor General suggests that the 18 writ petitioners who had approached the High Court (one of the writ petitioners being the respondent No.4 in S.L.P.(Civil) Nos.12420-12421 of 2019, having withdrawn) and two petitioners, who had approached the Central Administrative Tribunal shall be accommodated without considering "99" in their respective choices. This will be done by increasing one post in the respective State cadres this year, which will have to be adjusted in coming years. The suggestion is accepted by the respondents. The impugned judgment and order is, accordingly, modified by directing the petitioners to accommodate the twenty trainee officers in the manner suggested by the learned Advocate General.

It is made clear that such accommodation is being made as an

exceptional case and will not be treated as a precedent for other candidates of the same batch or in future as only these 20 persons approached the Court/Tribunal in time.

The special leave petitions are disposed of with the above directions/observations.

It is made clear that all questions of law are kept open.

Needless to mention that the original cadre allocation of the other candidates shall not be disturbed.

(SUKHBIR PAUL KAUR)
AR CUM PS

(RAJ RANI NEGI)
ASSISTANT REGISTRAR