

ITEM NO.6 Court 13 (Video Conferencing)

SECTION XII-A

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). 1696-1698/2022

(Arising out of impugned final judgment and order dated 28-09-2020 in WA No. 133/2020 26-02-2021 in CC No. 304/2021 27-12-2021 in CC No. 1547/2019 passed by the High Court For The State Of Telangana At Hyderabad)

LIFE INSURANCE CORPORATION OF INDIA & ORS.

Petitioner(s)

VERSUS

A. SRINIVASA RAO & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.16508/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

SLP(C) No. 1873-1874/2022 (XII-A)

(FOR ADMISSION and I.R. and IA No.17471/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT.)

SLP(C) No. 1929-1931/2022 (XII-A)

(FOR ADMISSION and I.R. and IA No.17898/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 1817/2022 (XII-A)

(FOR ADMISSION and I.R. and IA No.17321/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 14-03-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AJAY RASTOGI

HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. Tushar Mehta, Ld. SG
 Mr. Ranjit Kumar, Sr. Adv.
 Mr. Ashok Panigrahi, AOR
 Ms. Geetanjali Das Krishnan, Adv.
 Ms. Nikita Jaydevn, Adv.
 Mr. Nabab Singh, Adv.

For Respondent(s)

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

The special leave petitions have been filed against the judgment passed by the Division Bench of the High Court of Telangana dated 28th September, 2020 and also the interim order passed by the learned Single Judge in the contempt proceedings which have been initiated for non-compliance of the Order of the learned Single Judge dated 18th September, 2019 against which letters patent appeal preferred at the instance of the petitioners was dismissed by judgment dated 28th September, 2020.

Before we proceed to consider the grievance raised by the petitioners, it will be apposite to take note of the Order passed by the learned Single Judge in reference to which the present proceedings have been initiated:-

"Having regard to the rival submissions made by the parties, this Court is of the considered view that this Writ Petition can be disposed of directing the petitioners to submit a fresh representation to the respondents within two weeks from the date of receipt of a copy of this Order, and upon such representation being received, the respondent corporation shall consider the case of the petitioners for appointment in the non-joined posts, if they are the next meritorious candidates in the merit list, and pass appropriate orders in eight weeks thereafter. It is needless to say that the respondent Corporation shall consider the case of the petitioners only against the 50 vacancies of non-joined posts.

Learned counsel for the petitioners submit that while dismissing the letters patent appeal filed at their instance, observations had been made about the consensual order passed by the learned Single Judge, and once the explanation has been tendered by the officers of the petitioners in compliance of the order of the learned Single Judge dated 23rd September, 2019, there appears no

reason for the learned Single Judge to initiate contempt proceedings against the officers of the petitioners.

Heard learned counsel for the petitioners. It reveals from the record that the learned Single Judge has passed the omnibus order to fill 50 vacancies of non-joined posts of the meritorious candidates in the order of merit. In the given circumstance, the fact recorded by the Division Bench, as alleged, in the judgment impugned dated 28th September, 2020 that it was a consensual order is of no consequence. At the same time, the explanation dated 23rd September, 2019 tendered by the officers of the petitioners, on the representation made by the applicants, will be open for the learned Single Judge to examine in the pending contempt proceedings and may not be appropriate for this Court to express any opinion on merits at this stage.

Consequently, in our considered view, the special leave petitions are of no substance and accordingly disposed of in the above terms.

Pending application(s), if any, shall stand disposed of.

(NISHA KHULBEY)
SENIOR PERSONAL ASSISTANT

(BEENA JOLLY)
COURT MASTER (NSH)