

ITEM NO.48

COURT NO.13

SECTION XVI

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 (C) No(s). 8127/2014

(Arising out of impugned final judgment and order dated 15/03/2013 in FMA No. 175/2013 in CAN No. 5853/2012 passed by the High Court of Calcutta)

PRANAB KUMAR MONDAL

Petitioner(s)

VERSUS

STATE OF W.B &amp; ORS

Respondent(s)

(with interim relief and office report)

Date : 23/02/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAMAJIT SEN  
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s) Mr. Dushyant Parashar, Adv.

For Respondent(s) Mr. Anip Sachthey, Adv.  
Ms. Shagun Matta, Adv.

Dr. Sumant Bharadwaj, Adv.  
Ms. Mridula Ray Bharadwaj, Adv.  
Mr. Manoj Kumar, Adv.  
Mr. Rakesh Kailash Sharma, Adv.

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

It appears that the Petitioner has qualified in the examination held on 27<sup>th</sup> December, 2009, by which date the Caste of "chain" had been included as Scheduled Caste. We do not think it is very relevant that he has applied in 1999 before the Employment Exchange as a General Category Candidate, since on that date he was a General Candidate. Furthermore if there were vacancies in the

Scheduled Caste quota on the relevant date i.e. 27<sup>th</sup> December, 2009 he ought to have been considered since he would not be displacing any other Scheduled Caste Candidate.

Mr. Anip Sachthey, learned Counsel for the State seeks an adjournment to obtain instructions regarding vacancies in the Scheduled Cast quota on the relevant date as well as on today.

Re-notify after two weeks.

(USHA BHARDWAJ)  
AR-CUM-PS

(SAROJ SAINI)  
COURT MASTER