

ITEM NO.29

COURT NO.17

SECTION XI

**S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS**

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 34039/2024

(Arising out of impugned final judgment and order dated 24-04-2024 in S.A. No.378/2024 and SAD No.248/2024 passed by the High Court of Judicature at Allahabad)

DISTRICT BASIC EDUCATION OFFICER & ANR.

Petitioners

VERSUS

AJAY KUMAR & ORS.

Respondent

(with I.A. No.179341/2024-CONDONATION OF DELAY IN FILING, I.A. No.179342/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, I.A. No.179343/2024-EXEMPTION FROM FILING O.T. and I.A. No.186819/2024-INTERVENTION APPLICATION)

Date : 23-08-2024 This petition was called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA**

**For Petitioner(s) Mr. Ankit Goel, AOR
Mr. Nikhil Sharma, Adv.
Mr. Sahil Patel, Adv.**

**For Respondent(s) Mr. P. S. Patwalia, Sr. Adv.
Mr. R. K. Singh, Adv.
Mrs. Neeraj Singh, Adv.
Mr. Tom Joseph, AOR
Mr. Kumar Gaurav, Adv.
Mr. R. Krishnaraj, Adv.
Mr. Ajay Chaudhary, Adv.
Mr. Gaurav Pratap Singh, Adv.
Mr. Arjun Singh, Adv.
Mr. Ramandeep Singh, Adv.**

**Mr. Rajat Aren, Adv.
Mr. Radha Krishnan, AOR
Ms. Indu Uttara, Adv.
Mr. Raj Kumar Singh, Adv.
Ms. Ilma Naz, Adv.**

Ms. Sharmishta Choudhury, Adv.
Ms. Smriti Kumari, Adv.

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

1. Delay condoned.
2. Intervention allowed.
3. There is no dispute that as on the extended date for filing applications, the respondents were duly qualified. It is not in dispute that the Government Order dated 18th December, 2015 extending the time to file applications by 15th January, 2016 was not under challenge before the High Court. Further, there is no dispute that as on the extended date for filing applications, the respondents were duly qualified and that they were duly selected for appointment after participating in a competitive selection process. Also, it cannot be overlooked that the respondents put in more than 7 (seven) years of service before they were terminated. The Division Bench of the High Court, considering these factors, rightly upheld the decision of the learned Single Judge while at the same time clarifying that such decision shall not be treated as a precedent.
4. We are, thus, not inclined to interfere with the impugned judgment(s) and order(s) of the High Court; hence, the special leave petitions are dismissed.
5. Pending applications, if any, stand disposed of.

(RASHMI DHYANI PANT)
COURT MASTER (SH)

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)