

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7635 OF 2021
(@ SLP (C) No. 16750/2012)

STATE OF RAJASTHAN & ORS.

APPELLANT(S)

VERSUS

SHRAWAN KUMAR

RESPONDENT(S)

O R D E R

Leave granted.

The ratio of the impugned judgment and the directions given therein are contrary to the decision of this Court in *State Of Rajasthan & Ors v. Shankar Lal Parmar*, (2011) 14 SCC 235.

The appellants, therefore, are right in denying grant of selection grade to the respondent during the operation/period of minor penalty of censure. The grant of selection grade was rightly postponed.

Recording the aforesaid, we set aside the impugned judgment dated 06.05.2011 passed in D.B. Civil Special Appeal [Writ] No. 05063/2011.

However, we clarify that payments, if any, made to the respondent in terms of the impugned judgment would not be recovered.

The Civil Appeal is allowed in the above terms. No order as to costs.

All pending applications shall stand disposed of.

..... J.
[SANJIV KHANNA]

..... J.
[BELA M. TRIVEDI]

NEW DELHI
11TH DECEMBER, 2021

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). 16750/2012

(Arising out of impugned final judgment and order dated 06-05-2011 in CSAW No. 13456/2009 06-05-2011 in CWP No. 890/2011 passed by the High Court Of Judicature for Rajasthan at Jaipur)

STATE OF RAJASTHAN & ORS.

Petitioner(s)

VERSUS

SHRAWAN KUMAR

Respondent(s)

Date : 11-12-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s) Dr. Manish Singhvi, Sr. Adv.
Mr. Arpit Parkash, Adv.
Mr. Arvind Kumar, Adv.
Ms. Lara Siddiqui, Adv.
Mr. Prahlad Naryan Singh, Adv.
Mr. Sameer Singh, Adv.
Mr. Anurag Rawat, Adv.
Mr. Irshad Ahmad, AOR

For Respondent(s) Dr. Monika Gusain, AOR

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

Leave granted.

The Civil Appeal is allowed in terms of the Signed Order.

All pending applications shall stand disposed of.

(SONIA BHASIN)
COURT MASTER (SH)(SUNIL KUMAR RAJVANSHI)
BRANCH OFFICER

[Signed Order is placed on the file]