

PETITIONER:
STATE OF RAJASTHAN

Vs.

RESPONDENT:
TARACHAND & ORS.

DATE OF JUDGMENT: 11/02/1997

BENCH:
K. RAMASWAMY, S. SAGHIR AHMAD, G.B. PATTANAIAK

ACT:

HEADNOTE:

JUDGMENT:
THE 11TH DAY OF FEBRUARY, 1997

Present:

Hon'ble Mr. Justice K. Ramaswamy
Hon'ble Mr. Justice S. Saghir Ahmad
Hon'ble Mr. Justice G.B. Pattanaik

Aruneshwar Gupta and Manoj K. Das, Advs. for the Petitioner

O R D E R

The following Order of the Court was delivered:

O R D E R

Delay condoned.

The controversy raised in this case is already covered by a judgment of this Court reported in Shambhu Singh Meena Vs. State of Rajasthan (1995 (supp.2) SCC 431 wherein this court, on consideration of rule 28-B of the Rajasthan Administrative Service Rules 1954 and its explanation as it stood prior to November 3, 1991, had interpreted and held that the rule requires that the record of the officer should be outstanding or consistently very good and that would imply that it should be so for the entire period under consideration. The view of the High court, therefore, was upheld and held that the amendment made on 30-11-1991, being subsequent to the orders of promotions which were challenged in those cases could not apply to the cases prior to the amendment came into force. The same ratio applies to the facts in this case. Therefore, we do not find any ground warranting issuance of notice for interference.

The Petition is accordingly dismissed.