

PETITIONER:
RAJBIR SINGH, HFS-II.

Vs.

RESPONDENT:
THE STATE OF HARYANA & ANR.

DATE OF JUDGMENT: 04/01/1996

BENCH:
RAMASWAMY, K.
BENCH:
RAMASWAMY, K.
G.B. PATTANAIK (J)

CITATION:
1996 SCC (2) 19 JT 1996 (1) 222

ACT:

HEADNOTE:

JUDGMENT:

O R D E R

Application for impleadment is dismissed as withdrawn.
Leave granted.

We decline to express any opinion on merits since M.P. Sharma, who was appointed to an additional posts as a general candidate pursuant to the direction issued by the High Court in Writ Petition No.13700/90, on July 8, 1990 while the appellant was regularly selected by the Public Service Commission and appointed earlier to him, is not made a party to these proceedings. The main thrust of the argument is on inter se seniority between the appellant and M.P. Sharma. But in the absence of M.P. Sharma being impleaded as a party respondent to these proceedings, we cannot go into the question. Under these circumstances, we do find that though the High Court dismissed the writ petition in limine, it would be open to the appellant to approach the High Court, if so advised, to file a fresh writ petition impleading the affected parties and seek his remedy according to law.

The appeal is dismissed accordingly. No costs.