

PETITIONER:
RANA PRATAP SINGH

Vs.

RESPONDENT:
STATE OF U.P. & ORS.

DATE OF JUDGMENT: 20/02/1997

BENCH:
K. RAMASWAMY, S. SAGHIR AHMAD

ACT:

HEADNOTE:

JUDGMENT:

O R D E R

This appeal by special leave arises from the judgment dated 17th November, 1983 of the judgment passed by the Allahabad High Court in W.P. No. 2869 of 1983 etc. W.P. 2880 of 1983 having been filed by the appellant herein.

The Lucknow bench of the High Court by order dated November 17, 1983 dismissed all the writ petitions. Subsequently, pending appeals, the Government had decided by proceedings dated December 1, 1984 to sanction the creation of 1300 supernumerary post of civil police in the pay scale of Rs. 515-860/- and that "only those officiating Sub-Inspector will be absorbed on these posts who have officiated on the posts of Sub-Inspector for three years or more till 30th September, 1984". This Court on 19th April, 1985 while disposing of the C.A. no. 8820 of 1983 and batch and directed the Government to consider the cases of all those persons who had completed three years or more in the light of the above direction for absorption in those supernumerary posts and promoted under para 191 of the Police Officer Manual. In respect of other Sub-Inspector covered under the said para 191 who had not completed three years of service, the reversion stood upheld.

The appellant herein claims that he was promoted temporarily in February 1976 as a Sub-Inspector and was appointed on that premise and that he had been continuing in that post till he was reverted on May, 1983. It would appear that pending appeal, the appeal, obviously, must have retired from service. However, if the case of the appellant had been considered in the light of the direction issued by this Court, no further action would have been needed. If the Government did not consider his case since the appeal was pending, it is now for the Government to consider his case in accordance with rules for temporary promotion and confirmation in on of the 1300 supernumerary posts created by the Government by the aforesaid order dated 19th April 1985 passed by this Court, and to pass appropriate in that behalf.

The appeal is accordingly disposed of. No costs.

JUDIS