

A BAHADUR SINGH NARODA AND ORS.

v.

STATE OF M.P. ORS.

DECEMBER 7, 1995

B [K. RAMASWAMY AND B.L. HANSARIA, JJ.]

*Service Law :*

C *Employees holding certain posts till the appointment of regularly selected candidates—Claim for continuance on the posts—Held, relief cannot be granted since regularly selected candidates have been appointed and they have taken charge.*

D The appellants filed the appeal against the judgment of the M.P. State Administrative Tribunal. The respondent State filed a counter affidavit in response to the notice issued to it to show cause as to why the appellants should not be continued till the regularly selected candidates were appointed and took charge.

Dismissing the appeal, this Court

E HELD : Since the regularly selected candidates have already been appointed and have taken charge, the limited relief for which notice was issued cannot be granted. [315-A; B]

F CIVIL APPELLATE JURISDICTION : Civil appeal Nos. 11818-11820 of 1995.

From the judgment and order dated 13.7.93 of M.P. Administrative Tribunal Bench Bhopal in T.A. No. 15/88 O.A. No. 575/88 and O.A. No. 661/88.

G Ashok Kr. Singh for the Appellants.

Niraj Sharma and S.K. Agnihotri for the Respondents.

The following Order of the Court was delivered :

H Leave granted.

After notice was issued confining to the question as to "why the petitioners may not be continued till the regularly selected candidates are appointed and taken charge", counter-affidavit has been filed by one C.L. Khanna, Deputy D.S.E. in the office of the Joint Director, Public Instructions, Bhopal Division, Bhopal (M.P.). It is stated therein that the regularly selected candidates have already been appointed and taken charge, vide Annexure R. In that Annexure, the respective dates on which the selected candidates have taken charge have been given. . A B

Under these circumstances, the limited relief for which notice was issued cannot be granted. The appeals are dismissed.

R.P.

Appeals dismissed.