

Wing Commander J. Kumar

Vs

Union of India and Others

Civil Miscellaneous Petition No. 3384 of 1981 in Civil Appeal No. 1742 of 1980

(A.D. Koshal, V.B. Eradi JJ)

18.02.1981

ORDER

The main grouse of the petitioner whom we have heard in person is that respondents 4 and 5, against whom the appeal is mainly directed, are members of the Selection Board which is meeting tomorrow and which is to interview him. We are told by learned counsel for the Union of India that no minimum number of members is required to form the Board and that even if a couple of members out of the strength of present nine stay the proceedings of the Board would not be invalidated. In the circumstances we direct that respondents 4 and 5 shall not take part in the proceedings of the Board at its meeting to be held tomorrow and the day insofar as selection for promotions to the posts of Group Captains are concerned. Except for this no relief is granted to the petitioner. The order made by this Court on October 28, 1980 shall remain valid and binding.

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