

Rajbir Singh, HFS-II

Vs

State of Haryana and Another

Civil Appeal No. 1530 of 1996

(K. Ramaswamy, G.B. Pattanaik JJ)

04.01.1996

ORDER

1. Application for impleadment is dismissed as withdrawn.
2. Leave granted.
3. We decline to express any opinion on merits since M. P. Sharma, who was appointed to an additional post as a general candidate pursuant to the direction issued by the High Court in Writ Petition No. 13700 of 1990, on 8-7-1990 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 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.
4. The appeal is dismissed accordingly. No costs.