

State of Rajasthan

Vs

Tarachand and Others

SLP (C) No. 3551 of 1997

(G. T. Nanavati, K. Ramaswamy, S. Saghir Ahmed JJ)

11.02.1997

ORDER

1. Delay condoned.
2. The controversy raised in this case is already covered by a judgment of this Court reported in Shambhu Singh Meena v. State of Rajasthan [1995 Supp (2) SCC 431 : 1995 SCC (L&S) 874 : (1995) 30 ATC 140] wherein this Court, on consideration of Rule 28-B of the Rajasthan Administrative Service Rules, 1954 and its explanation as it stood prior to 30-11-1991, had interpreted and held that the Rule requires that the record of the officer should be outstanding or consistently very good and that would imply that it should be so for the entire period under consideration. The view of the High Court, therefore, was upheld and held that the amendment made on 30-11-1991, being subsequent to the orders of promotions which were challenged in those cases could not apply to the cases prior to the amendment coming into force. The same ratio applies to the facts in this case. Therefore, we do not find any ground warranting issuance of notice for interference.
3. The petition is accordingly dismissed.