

Surjit Singh Gandhi

Vs

Indian Red Cross Society and Others

Civil Appeal No. 1187 of 1998

(S. P. Bharucha, V. N. Khare JJ)

27.02.1998

ORDER

1. Special leave granted.
2. The writ petition filed by the present appellant before the High Court of Punjab and Haryana was dismissed, being not maintainable. The Court said that the appellant "was an employee of St. John Ambulance Association which does not satisfy the tests laid down by the Supreme Court of India within the meaning of the expression in Article 12 of the Constitution of India". We are of the view, having heard the counsel, that the matter requires more detailed consideration by, and expression in the judgment of the High Court. This is not to suggest that the High Court was in error. It shall be open to all parties to urge all contentions before the High Court.
3. The appeal is allowed. The order under appeal is set aside and the writ petition (CWP No. 1107 of 1996) is restored to the file of the High Court to be heard afresh for admission.
4. No order as to costs.