

SUPREME COURT OF INDIA

State of Maharashtra

Vs.

Narayan Ramrao Chavan

(B.N. Kirpal and S. R. Babu JJ.)

03.01.2000

ORDER

B.N. Kirpal, J.

1. Special leave granted.

2. It appears that the Writ petition No. 2585 of 1996 filed by the respondent No. 1 was disposed of at the stage of preliminary hearing itself. The brief judgment of the High Court gives no reason as to why the writ petition was allowed and the Zilla Parishad was directed to promote respondent No. 1 to the post of Bal Vikas Adhikari. The case of respondent No. 1 herein does not seem to have been considered which was to the effect that respondent No. 1 was not in the line of promotion to the post of Bal Vikas Adhikari. We, however, do not express any opinion with regard to this contention on behalf of the State of Maharashtra and we are of the view that the High Court should hear the writ petition afresh and decide the same by giving reason for its decision.

3. We, accordingly, allow the appeals, set aside the orders dated 1st December, 1998 passed in Writ Petition No. 2585 of 1996 and dated 12th February, 1999 passed in Review Petition No. 734 of 1999 and restore the case to the file of the High Court.