

**SUPREME COURT OF INDIA**

Abdul Jabbar

Vs.

Ram Bihari Pandey

C.A.No.8018-8019/2013

(Kurian Joseph and Sanjay Kishan Kaul, JJ.,)

12.07.2018

**JUDGMENT**

**Kurian Joseph, J.,**

1. Learned counsel for the appellants submits that he does not want to press I.A. No.108566/2017. The I.A. is, accordingly, dismissed as not pressed.
2. The appellants are before this Court, aggrieved by the promotions effected in the year 1981 based on the trade test conducted by the respondent/Institution. The Trade Test was conducted for the purpose of promotion based on the principle of Merit-cum-Seniority. Accordingly, the promotions had been always made based on the merit list prepared on the basis of test performance.
3. It is stated in the counter affidavit that though in 1986 the principle was sought to be changed to Seniority-cum-Merit, later the principle of Merit- cum-Seniority was restored.
4. Thus, we do not find any ground to interfere with the concurrent findings rendered by the Trial Court and the High Court. The appeals are hence dismissed.
5. Pending applications, if any, shall stand disposed of.
6. There shall be no orders as to costs.