

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

732546

Petition(s) for Special Leave to Appeal (Civil) No.21643/2003

(From the judgement and order dated 24/10/2003 in WP 251/03
of The HIGH COURT OF Allahabad at LUCKNOW)

ROMESH CHANDER NADIR AND ANR.

Petitioner (s)

V E R S U S

UNION OF INDIA AND ORS.

Respondent (s)

(With prayer for interim relief)

Date : 05/12/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MR. JUSTICE ARIJIT PASAYAT

Certified to be true copy
 K. N. Nair
 Assistant Registrar (Judl.)
 8-12-03
 Supreme Court of India

For Petitioner (s) Mr. Ranjit Kumar, Sr. Adv.
Ms. Binu Tamta, Adv.

For Respondent (s) Mr. Rajeev Sharma, Adv.

UPON hearing counsel the Court made the following

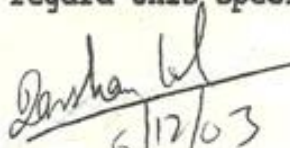
O R D E R

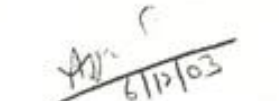
Heard the learned senior counsel for the petitioners.

In the light of the view taken by this Court in The State of Jammu and Kashmir vs. Shri Triloki Nath Khosa and others (1974 (1) SCC 19) no exception could be taken to the reasons assigned to reject the challenge to the amendment in question.

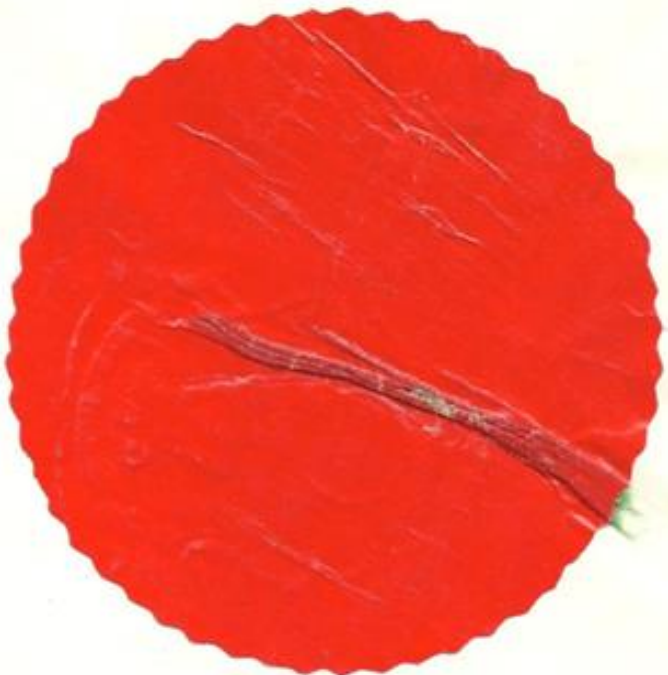
The learned senior counsel for the petitioners by relying upon some of the subsequent judgments contends that unless some relief in some other form to prevent the total stagnation of the claims for promotion, for the rest of their service career, is devised for mitigating such grievance there will be total impediment for any promotion resulting in an irreparable scar in the rest of

their service career. Though the grievance may seem to be genuine but the remedy, if any, would lie with the department since they pertain to matters of policy and it is for the department to consider such claims appropriately. We leave liberty with the petitioners or their representative bodies to pursue the matter before the appropriate authorities. With these liberties left with the petitioners and the rejection of the SLP may not stand in their way in this regard this special leave petition shall stand rejected.


6/12/03
(D.L. Chugh)
Court Master


6/12/03
(Vijay Aggarwal)
Court Master


9/12



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