

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6008 OF 2015
(Arising out of SLP(C)NO.11711 of 2013)

STATE OF U.P. ... APPELLANT(S)

VS.

DEEP NARAIN MISRA & ORS. ... RESPONDENT(S)

J U D G M E N T

ANIL R. DAVE, J.

1. Leave granted.
2. Upon hearing the learned counsel for the parties, the impugned judgment is modified to the effect that as a special case, Respondent No.1 shall be given fresh appointment before 1st September, 2015, but without backwages and seniority.
3. It has been observed in the impugned judgment that the appellant-State shall not make any appointment in future without prior police verification.
4. It appears that it would be very impracticable, as stated by the learned counsel for the appellant that the police verification takes lot of time and if the person is not appointed till the verification is done by the police, it would not be in the interest of the State.

5. In the circumstances, the observation with regard to appointment only after police verification is set aside but the appointments made, shall be subject to police verification.

6. The appeal is allowed with no order as to costs.

7. It is made clear that this order, so far as it pertains to appointment of Respondent No.1 is concerned, shall not be treated as a precedent.

.....J.
[ANIL R. DAVE]

.....J.
[KURIAN JOSEPH]

New Delhi;
7th August, 2015.



JUDGMENT