IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

C.Rev. No. 28 of 2011.

Decided on: November 29, 2012.

State of Himachal Pradesh through Secretary (Education) to the Government of Himachal Pradesh, Shimla-171001 (HP).

….Petitioner.

Versus

1. Rajeev Kumar son of Shri Pawan Kumar, resident of VPO Saloa, Tehsil Naina Devi Ji, District Bilaspur (HP).

2. Himachal Pradesh Subordinate Selection Board Hamirpur through its Secretary, Hamirpur, H.P.

…….Respondents.

Coram
The Hon'ble Mr. Justice Kurian Joseph, Chief Justice.
The Hon'ble Mr. Justice Rajiv Sharma, Judge.

For the petitioner: Mr. R.K. Bawa, AG with Mr. Ankush Dass Sood, Addl. AG.

For the respondent: Mr. Amar Deep, Advocate, for respondent No.1.

Justice Kurian Joseph, C.J. (Oral)

This Review Petition is at the instance of the Secretary Education, seeking review of the judgment dated 6.10.2010 in CWP No. 4643 of 2009. The writ petitioner had sought appointment as TGT (NM) on the ground that his name has been recommended by the H.P. Subordinate Services Selection Board. Though, the appointing authority is Director, Elementary Education, the petitioner had not made the Director, Elementary Education as respondent in the party array. In the writ petition, the H.P. Subordinate Services Selection Board, filed a short reply to the effect that they had forwarded the select list to the government and it is for the government to take action. In the judgment, inadvertently the reply was taken as the reply of both the government as well as H.P. Subordinate Services Selection Board and the writ petition was disposed of with the direction to the government to take appropriate action on the basis of the recommendation. The appointing authority is not the government. That apart, there was no reply by the government. In view of the error thus apparent on the face of the record, the

High Court of H.P.

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judgment dated 6.10.2010 in CWP No. 4643 of 2009 is recalled and the review petition is allowed, as above.

(Justice Kurian Joseph),
Chief Justice.

November 29, 2012,
(karan/kck)

(Justice Rajiv Sharma),
Judge.

High Court of H.P.

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