

IN THE SUPREME COURT OF INDIA

INHERENT JURISDICTION

CONTEMPT PETITION(C) No(s). 834-847/2018

IN

SLP(C) No(s). 23757-23763/2016

ANWAR HUSENA BAMMANALI Petitioner(s)

VERSUS

UMA MAHADEVAN Respondent(s)

IN THE MATTER OF:

ANWAR HUSENA BAMMANALI Petitioner(s)

VERSUS

THE STATE OF KARNATAKA & ORS. Respondent(s)

J U D G M E N T

KURIAN, J.

(1) We have heard learned counsel for the parties.

(2) Pursuant to our order dated 6<sup>th</sup> July, 2018, Ms. Deepa M. Cholan, Director, Women and Child Development Department, Bengaluru, who as of now is discharging her duty as Deputy Commissioner, Dharwad, is present in the court in-person. She has also filed an affidavit on 23<sup>rd</sup> July, 2018 explaining the circumstances which led to the instruction given to the standing counsel.

(3) Explanation offered in the said affidavit is accepted

and further proceedings in the contempt petitions against Ms. Deepa M. Cholan are dropped.

(4) We are informed that vacancies that there are 31 vacancies in the post of Superintendent Grade-I (Probation Officer Grade-I).

(5) Having regard to the peculiar facts and circumstances of this case, we are of the view that interest of justice would be met and complete justice would be done in case the petitioner is appointed against one of the available vacancies since, as a matter of fact he stood selected pursuant to Notification dated 18.01.2012 and only because of non-availability of vacancies his case could not be considered.

(6) Hence, we issue a direction to the Government of Karnataka to appoint the petitioner forthwith against one of the available vacancies as Superintendent Grade-I (Probation Officer Grade-I).

(7) We make it clear that this order is made in the peculiar facts of the present case and shall not be treated as a precedent. To avoid any further dispute with regard to the future seniority of the petitioner, we clarify that the seniority of the petitioner will be only

from the date of his appointment.

(8) The contempt petitions are accordingly disposed of.

.....J.  
(KURIAN JOSEPH)

.....J.  
(SANJAY KISHAN KAUL)

NEW DELHI  
JULY 26, 2018