

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL No.389 OF 2008

REGIONAL DIRECTOR, INDIAN AIRLINES LTD.

.....APPELLANT

VERSUS

D. AROKIANATHAN

.....RESPONDENT

O R D E R

We have heard Mr.S.R.Setia, learned counsel for the appellant.

The solitary direction contained in the impugned order dated 16.11.2006, passed by the High Court of Judicature at Madras (hereinafter referred to as 'the High Court') is, that the appellant before this Court should take up the matter of reservation to the post of Helper (Commercial) out of physically handicapped candidates, with the Central Government. It is this direction which is sought to be assailed in the instant appeal.

We find no justification in the challenge raised by the appellant, to the impugned order passed by the High Court. It is for the Central Government to take an appropriate decision on the question in hand, namely, whether the post of Helper(Commercial) can be filled up out of physically handicapped candidates. In case such a decision is taken by the competent authority, then the provisions of the Persons with Disabilities (Equal Opportunities,

Protection of Rights and Full Participation) Act, 1995 would apply. As of now, the provisions of the above Act are not applicable, since the above post has not been included in the posts which can be filled out of physically handicapped candidates.

For the reasons recorded hereinabove, we find no merit in the instant appeal and the same is accordingly dismissed.

.....J.
(JAGDISH SINGH KHEHAR)

.....J.
(C. NAGAPPAN)

NEW DELHI;
MAY 29, 2014.

ITEM NO.105

COURT NO.3

SECTION XII

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
C I V I L A P P E A L N O (s) . 3 8 9 O F 2 0 0 8

REGIONAL DIRECTOR, INDIAN AIRLINES LTD.

Appellant (s)

VERSUS

D. AROKIANATHAN

Respondent(s)

(With office report)

Date: 29/05/2014 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR
HON'BLE MR. JUSTICE C. NAGAPPAN

For Appellant(s)

Mr. S.R. Setia,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

(Satish K.Yadav)
Court Master

(Renuka Sadana)
Court Master