

ITEM NO.23 +10

COURT NO.6

SECTION XI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 23223/2018

(Arising out of impugned final judgment and order dated 16-05-2018 in WA No. 11729/2018 passed by the High Court Of Judicature At Allahabad)

SAURAV YADAV & ORS.

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

IA No. 165429/2019 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 165421/2019 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 135358/2019 - CLARIFICATION/DIRECTION
 IA No. 132880/2019 - CLARIFICATION/DIRECTION
 IA No. 135356/2019 - DISCHARGE OF ADVOCATE ON RECORD
 IA No. 132879/2019 - DISCHARGE OF ADVOCATE ON RECORD
 IA No. 134605/2018 - EXEMPTION FROM FILING O.T.
 IA No. 165430/2019 - EXEMPTION FROM FILING O.T.
 IA No. 117317/2018 - EXEMPTION FROM FILING O.T.
 IA No. 107076/2019 - EXEMPTION FROM FILING O.T.
 IA No. 165423/2019 - EXEMPTION FROM FILING O.T.
 IA No. 37943/2019 - INTERVENTION/IMPLEADMENT
 IA No. 165416/2019 - INTERVENTION/IMPLEADMENT
 IA No. 35557/2019 - INTERVENTION/IMPLEADMENT
 IA No. 127686/2018 - INTERVENTION/IMPLEADMENT
 IA No. 34139/2019 - INTERVENTION/IMPLEADMENT
 IA No. 166185/2019 - INTERVENTION/IMPLEADMENT
 IA No. 121759/2018 - INTERVENTION/IMPLEADMENT
 IA No. 182899/2018 - INTERVENTION/IMPLEADMENT
 IA No. 171202/2018 - INTERVENTION/IMPLEADMENT
 IA No. 153838/2018 - INTERVENTION/IMPLEADMENT
 IA No. 165427/2019 - INTERVENTION/IMPLEADMENT
 IA No. 148889/2018 - INTERVENTION/IMPLEADMENT
 IA No. 97505/2019 - INTERVENTION/IMPLEADMENT
 IA No. 143780/2018 - INTERVENTION/IMPLEADMENT
 IA No. 49153/2019 - INTERVENTION/IMPLEADMENT
 IA No. 134604/2018 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES)

Item 10

SLP(C)Dy. No.35506/2019

(Application for C/d in filing petition, exemption from filing C/C of the impugned judgment, exemption from filing O.T. and Permission to file SLP)

Date : 22-11-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN

For Parties(s)

Dr. Manish Singhvi, Sr. Adv.
Mohd. Asad Khan, Adv.

Ms. Vibha Datta Makhija, Sr. Adv.
Mr. Danish Zubair Khan, AOR

Mr. Arijit Prasad, Sr. Adv.
Mr. Purushottam Sharma Tripathi, AOR
Mr. Paul Anbarasan H
Mr. Ravi Chandra Prakash, Adv.
Ms. Vahi Vyas, Adv.
Mr. Mukesh Kr. Singh, Adv.
Mr. Ikshit Singhal, Adv.
Mr. Amit, Adv.
Ms. Sushma Singh, Adv.

Mr. Ranvir Singh Chhillir, Adv.
Ms. Sonal Arora, Adv.
Ms. Shantanu Jugtawat, Adv.
Mr. Ashutosh Chaturvedi, Adv.
M/S. Mukesh Kumar Singh And Co., AOR

Mr. Pushkar Sharma, Adv.
Mr. Piyush Dwivedi, AOR

Mr. Dushyant Dave, Sr. Adv.
Mr. Anurag Pathak, Adv.
Mr. Rajesh Pathak, Adv.
Mr. Abhishek Chakraborty, Adv.
Ms. Usha Pandey, Adv.
Mr. Pramod Kumar, Adv.
Mr. S.R. Setia, AOR

Md. Ali, Adv.
Mr. Nadeem, Adv.

Mr. Vinod Diwakar, AAG
Mr. B.N. Dubey, Adv.

Ms. Garima Prashad, AOR

Mr. E. C. Vidya Sagar, AOR

Mr. Sanjeeb Panigrahi, AOR

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

On 24.7.2019 following directions were passed by this
Court:

“(A) The State shall within a month from today complete the entire process of selection in respect of 2312 vacancies strictly in accordance with law.

(B) The State shall follow the principle of reservation while filling up these 2312 vacancies.

(C) While filling up these vacancies, the State shall adhere to the minimum required qualifying marks as devised during the process of selection but subject to this, the State shall consider all eligible candidates and go strictly in order of merit.

(D) The State shall before the next date of hearing, shall file a list of all the selected candidates.

It is also accepted that apart from these 2312 vacancies, there are still 982 vacancies to be filled up in the original selection.

It is clarified that no candidate shall be excluded from the selection process merely because he had used blade or whitener. In case his merit position otherwise demands and entitles him to be selected, no prejudice shall be caused to him merely for the use of blade and whitener.

It is also clarified that in case any other process of selection is going ahead, the same shall not be kept in abeyance and the State is entitled to go ahead with such process.”

In terms of the directions, compliance report has been filed on behalf of the State indicating that 3295 vacancies have been

filled up in terms of merit and after giving due benefits of the existing reservation policy. The affidavit submits as under:-

"3.1 That in compliance thereof the State has completed entire selection process of 3295 posts (2312 + 989 vacancies) as per merit and existing reservation policy:-

VACANCY POSITION CATEGORY-WISE	
Category	Number
Open Category	1906
OBC	731
SC	601
ST	57
Total	3295

3.2- Service-wise selected candidate-

S.No.		Civil Police	PAC	Fireman
1	Male	1702	615	785
2.	Female	187	-	-
3.	DFF (Male)	5	-	-
4.	DFF (Female)	1	-	-
5.	Total	1895	615	785

List of entire newly 3295 selected candidates along with their respective posts (Civil Police/PAC/Fireman) is annexed and marked herewith as Annexure A-1 (pp 5 to 75).

3.3 In open Category 5 DFF males, 1 DFF female and 187 female (General) have been selected. This process completes horizontal reservation."

The learned counsel appearing for some of the applicants submit that the list given by the State does not indicate:

(a) The category of the selected candidates and

(b) the number of marks obtained by each one of them.

Mr. Vinod Diwakar, learned AAG submits that the entire list alongwith category details as well as marks secured by each of the candidates has already been uploaded and the list is in public domain.

We direct the State to file complete list alongwith the individual marks and the details as to the category to which the candidates belong.

The State shall also indicate the details of the last candidate selected for each of the categories and the marks obtained by such last candidate.

Let all the details be filed before the next date of hearing.

List on 2.12.2019.

(INDU MARWAH)
COURT MASTER

(SUMAN JAIN)
BRANCH OFFICER