

ITEM NO.15 Court 6 (Video Conferencing)

SECTION X

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

Writ Petition(s)(Civil) No(s). 827/2021

SHRI CHANDRA OJHA & ORS.

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(FOR ADMISSION and IA No.89754/2021-EXEMPTION FROM FILING O.T.,
I.A. NO. 97513/2021- INTERVENTION/IMPLEDMENT,
I.A. NO. 100608/2021-INTERVENTION/IMPLEADMENT,
I.A. NO. 100618/2021- INTRVENTION/IMPLEADMENT)
I.A. NO. 97515/2021- EXEMPTION FROM FILING AFFIDAVIT,
I.A. NO. 100611/2021- EXEMPTION FROM FILING AFFIDAVIT,

WITH

W.P.(C) No. 863/2021 (X)

(FOR ADMISSION and I.R. and
IA No.93705/2021-EXEMPTION FROM FILING O.T. and
IA No.93704/2021-APPROPRIATE ORDERS/DIRECTIONS,
I.A. NO. 100435/2021-EXEMPTION FROM FILING AFFIDAVIT,
I.A. NO. 100495/2021- INTERVENTION/IMPLEDMENT)

Date : 18-08-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Raghvendra Shukla, Adv.
Mr. Ramjee Pandey, AOR

Ms. V. Mohana, Sr. Adv.
Ms. Parul Shukla, AOR
Mr. Abhinav Agarwal, Adv.
Ms. Kirti Aggarwal, Adv.

For Respondent(s) Mr. Harish Pandey, AOR
State Mr. Akshay Saxena, Adv.
Mr. manish Kumar, Adv.

rr-2 in WP 827/2021 Mr. Vikas Singh, Sr. Adv.
rr-3 in WP 863/2021 Mr. Ajay Kumar Singh, AOR
Mr. Yatharth Singh, Adv.
Mr. Manindra Dubey, Adv.

Mr. Prashant Shukla, Adv.
Mr. Suyash Srivastava, Adv.
Ms. Shreya Mishra, Adv.
Mr. Madhumay Mishra, Adv.
Mr. Satyajeet Kumar, AOR

Impleading party Ms. Sansriti Pathak, AOR

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

Applications for exemption from filing
official translation and affidavit are allowed.

We have heard learned senior counsel for the parties. What emerges from the arguments is that the persons who were seeking to get benefit of past service, and had not been paid, could not have applied in that category though they could have applied as fresh candidates and claimed benefit later on on making a representation. We are not able to appreciate the submission of the learned senior counsel for the petitioners that because such candidates could not upload their forms as persons with past experience, they would not even be interested in applying as fresh candidates to take the examination. The applicants ought to have been more careful and the benefit could have been given to them as in case of others in view of our order dated 28.06.2021. On the request of one of the applicants, we bring to their notice and to the learned senior counsel for the respondents that the

said order takes care of the apprehensions of such candidates who have applied as fresh candidates, but are eligible to get the benefit of the past service.

The only other aspect which has been pointed out to us is that apparently there has been disruption in one exam centre. However, there are contradictory versions available as submitted by learned counsel and actual facts have not been verified. Suffice to say that the limited submission of the learned senior counsel for the petitioners is that if fresh examination is to be held on account of the disruption of the examination in that centre, then such of the candidates who could not apply earlier on account of the problem in uploading their applications as candidates with past service, may also be given a chance. Learned counsel for the Board submits that he will obtain the requisite instructions on this behalf and will endeavour to consider such cases sympathetically.

List on 25.08.2021.

I.A. NO. 97513/2021- INTERVENTION/IMPLEDMENT,
I.A. NO. 100608/2021-INTERVENTION/IMPLEADMENT,
I.A. NO. 100618/2021- INTRVENTION/IMPLEADMENT IN
WRIT PETITION [C] NO.827/2021
WITH I.A. NO. 100495/2021- INTERVENTION/IMPLEDMENT
IN W.P.C) No. 863/2021

The applicants are permitted to intervene

limited to the benefit of the order which we have passed today in the Writ Petitions.

The applications are disposed of accordingly.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)