

ITEM NO.13+41+43 Court 6 (Video Conferencing)

SECTION XI

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

Item No.13

Petition(s) for Special Leave to Appeal (C) No(s). 16073-16074/2021

(Arising out of impugned final judgment and order dated 10-08-2021 in SAD No. 519/2021 10-08-2021 in SAD No. 512/2021 passed by the High Court Of Judicature At Allahabad)

GOVIND KUMAR & ORS.

Petitioner(s)

VERSUS

STATE OF UP & ORS.

Respondent(s)

(IA No.130576/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.130577/2021-EXEMPTION FROM FILING O.T.)

Item No.41

SLP (CIVIL) Diary No(s). 22730/2021

(FOR ADMISSION and I.R. and IA No.133137/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.133136/2021-EXEMPTION FROM FILING O.T. and IA No.133135/2021-PERMISSION TO FILE PETITION (SLP/TP/WP/..) and IA No.133139/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES.....[TO BE TAKEN UP WITH ITEM NO.13 I.E SLP(C) NO. 16073-16074/2021])

WITH

Diary No(s). 22724/2021 (XI)

(FOR ADMISSION and I.R. and IA No.133243/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.133242/2021-EXEMPTION FROM FILING O.T. and IA No.133239/2021-PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Diary No(s). 22731/2021 (XI)

(FOR ADMISSION and I.R. and IA No.133158/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.133157/2021-EXEMPTION FROM FILING O.T. and IA No.133156/2021-PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Item No.43

SLP (CIVIL) Diary No(s). 24184/2021

(IA No.134382/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.134383/2021-EXEMPTION FROM FILING O.T. and IA No.134381/2021-PERMISSION TO FILE PETITION (SLP/TP/WP/..)....[TO BE TAKEN UP ALONG WITH ITEM NO. 41 I.E. Diary No. 22730-2021])

Date : 20-10-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) 13 Mr. Nidhesh Gupta, Sr. Adv.
Ms. Malvika Trivedi, Sr. Adv.
Ms. Rohini Musa, AOR
Mr. Nipun Katyal, Adv.
Ms. Bhargavi Kannan, Adv.

41 Mr. Maninder Singh, Sr. Adv.
Mr. Danish Zubair Khan, AOR
Dr. Lokendra Malik, Adv.
Mr. Kumar Kishlay, Adv.

41.1 Mr. Sidharth Luthra, Sr. Adv.
Mr. Danish Zubair Khan, AOR
Dr. Lokendra Malik, Adv.
Mr. Kumar Kishlay, Adv.

41.2 Mr. Ranjit Kumar, Sr. Adv.
Mr. Danish Zubair Khan, AOR
Dr. Lokendra Malik, Adv.
Mr. Kumar Kishlay, Adv.

Ms. Preetika Dwivedi, AOR

For Respondent(s)

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

Permission to file SLPs is granted.

Applications for exemption from filing c/c of the
impugned judgment, official translation, additional
documents/facts/annexures are allowed.

We have heard learned senior counsels for the parties at
some length.

The only aspect which requires consideration, in our

view, is that there is no specific requirement under the Rules to provide a cut off and thus, the candidates who have been disqualified on account of their certificates being found not correct or medically unfit or on the basis of character verification should not prejudice the list from being operated in a manner that all vacancies are filled up at one go.

In this behalf, we may also note the mandate as contained in Writ Petition [C] No.183/2013 *qua* the State of Uttar Pradesh at page 149 (Annexure P-8) to fill in the vacancies and it is stated that as on that date vacancies remained unfilled which had been advertised and since then for the last three years no vacancies have been filled in.

Issue notice limited to the aforesaid issue returnable in four weeks.

Dasti as well.

A copy of the order to accompany the notice.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)