

IMMEDIATE

ITEM NO.60

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). 16432/2017

(Arising out of impugned final judgment and order dated 06-04-2017 in SA No. 416/2016 passed by the High Court Of Judicature At Allahabad, Lucknow Bench)

DEEPAK KUMAR

Petitioner(s)

VERSUS

ABHISHEK KUMAR &amp; ORS.

Respondent(s)

WITH

SLP(C) No. 16723/2017 (XI)

SLP(C) No. 16672/2017 (XI)  
(for impleading party)

SLP(C) No. 16669/2017 (XI)  
(FOR INTERVENTION/IMPLEADMENT)

D. No. 18334 of 2017  
(permission to file additional documents)

D. No. 19924 of 2017  
(EXEMPTION FROM FILING O.T. and permission to file SLP)

D. No. 20008 of 2017  
(CONDONATION OF DELAY IN FILING SLP and PERMISSION TO FILE  
ADDITIONAL DOCUMENTS and EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT and EXEMPTION FROM FILING O.T.)

D. No. 20150 of 2017  
(CONDONATION OF DELAY IN FILING SLP and PERMISSION TO FILE  
ADDITIONAL DOCUMENTS and PERMISSION TO FILE SLP)

Date : 21-07-2017 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH  
HON'BLE MRS. JUSTICE R. BANUMATHI

Counsel for the  
parties

Mr. Huzefa Ahmadi, Sr. Adv.  
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 Ms. Seema, Adv.  
 Mr. Rajesh Srivastava, Adv.  
 Mr. V. Chauhan, Adv.

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 Mr. Kamlesh Kumar, Adv.  
 Mr. Masood Alam, Adv.  
 Mr. Mithilesh Kumar, Adv.  
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Mr. D. K. Singh, Addl. Adv. General, UP  
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 Ms. Komal Mundhra, Adv.  
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 Mr. Ravi Prakash Mehrotra, Adv.

Mr. P. P. Rao, Sr. Adv.  
 Mr. Ashwani Kumar Dubey, Adv.  
 Mr. Sanjeev Kumar Baliyan, Adv.  
 Mr. Tarunesh Kumar, Adv.

Mr. Anuj Bhandari, Adv.

Mr. Vinay Garg, Adv.  
 Mr. Upendra Mishra, Adv.

Mr. Deepam Garg, Adv.

Mr. Umesh Dubey, Adv.

Mr. Sandeep Kumar Dwivedi, Adv.

Mr. Rajesh Srivastava, AOR

Mr. Gyan Prakash Srivastava, AOR

Mr. Abhijat P. Medh, AOR

UPON hearing the counsel the Court made the following

O R D E R

On 19.05.2011, an advertisement was issued for selection of 4010 candidates (Sub-Inspectors and Platoon Commanders). It was also mentioned in the advertisement that the posts are likely to increase or decrease. We direct the learned Additional Advocate General appearing for the State, who is present in Court today, to ascertain the number of vacancies available on the date of completion of selection.

The qualifier preliminary examination for selection was held on 11.12.2011. Results were announced on 01.01.2013. Based on those results, the main examination was conducted on 14.09.2014. The results of the main examination was announced on 23.10.2014. All the successful candidates were invited for the next stage of Group Discussion, which was held from 11.12.2014 to 10.01.2015. The final select list of 3784 candidates was published on 16.03.2015 and 25.06.2015. Based on the list thus published, 3533 candidates were sent for training and they have completed the training which commenced in November, 2015 and ended in November, 2016.

We are informed by all the learned counsel present here that including 37 writ petitioners, 237 persons approached the High Court against the selection at various stages in one capacity or other.

We are also informed that 810 candidates also had a grievance with regard to whitener being used. However, for those 810 candidates, additional vacancies were created, therefore, they do not come in the way of the present issue. Since there is no dispute with regard to 810 candidates, who are covered by the Judgment passed by this Court in Civil Appeal Nos. 587-588 of 2016 dated 19.01.2016, we direct the learned Additional Advocate General to ascertain as to what is the impediment in sending them for training since their issue is finally settled by the Judgment of this Court.

We are informed that pursuant to the directions issued by the High Court regarding reservation, a list of 3784 candidates has been published on 26.11.2016, out of which 3533 have already undergone training. We direct the learned Additional Advocate General to clarify as to what is the impediment in sending the remaining candidates also for training. He will also take instruction as to whether 237 people, who went to the High Court, can also be sent for training in respect of the vacancies which would have arisen subsequent to the advertisement, subject of course to their eligibility.

We also direct the learned Additional Advocate General to ascertain whether without prejudice to the contentions available to the parties and in view of the pressing need for filling up the

posts, the people who have already completed the training, can be appointed.

List on 01.08.2017 at 02.00 PM.

(JAYANT KUMAR ARORA)  
COURT MASTER

(RENU DIWAN)  
ASSISTANT REGISTRAR