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SLP(C)No. 7173 OF 2001
ITEM No.203

Court No. 8

SECTION XI
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Civil) No.7173/2001
(From the judgement and order dated 16/03/2001 in CMWP 37837/99
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

RAM RATAN CHATURVEDI

Petitioner (s)

VERSUS

U.P. SERVICE COMMISSION & ANR.

Respondent (s)

(With Appln(s). for impleading party)(With prayer for interim relief)
(For Final Disposal) (Along with the copy of the judgment in C.A. Nos.4281-4289/2003 dated 05/05/2003

Date : 18/07/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA

HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s)Mr. Sunil Gupta, Sr. Adv.
Mr. Gopal Prasad,Adv.

Mr. S.K.Singh, Adv.

For Respondent (s)

Mr. A.S. Pundir,Adv.

Mr. Avtar Singh Rawat, AAG

Mr. J.K. Bhatia, Adv.

UPON hearing counsel the Court made the following

O R D E R

This Special Leave Petition is against the judgment of the High Court of Judicature at Allahabad dated 16th March, 2001. The petitioner had challenged the basis of allocation for reserved categories, made by the U.P. Public Service Commission, during the selection done in 1997.

The High Court dismissed the writ petition. During the pendency of this SLP, this Court has issued a judgment dated

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5th June, 2003 in Civil Appeal Nos.4281-4289/2003 held that a selection made by the U.P. Public Service Commission is not binding on the State of Uttaranchal.

In view of the judgment of this Court and considering the fact that the selection, in this case, was made by the U.P. Public Service Commission for the hill cadre, it is now not possible for this Court to direct the State of Uttaranchal to appoint any person selected by the U.P. Public Service Commission. The question, therefore, whether or not U.P. Public Service Commission had correctly or incorrectly allocated the seats becomes academic. This Court thus sees no reason to go into it.

The Special Leave Petition is dismissed. There will be no order as to costs.

(K.K. Chawla)

Court Master

(Jasbir Singh)

Court Master