

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.10857 OF 2010

VASHISTHA BHARDWAJ

APPELLANT(S)

VERSUS

STATE OF U.P. & ORS.

RESPONDENT(S)

O R D E R

1. This appeal is directed against the judgment and order passed by the High Court of Judicature at Allahabad in Civil Misc. Writ Petition No.47547 of 2000, dated 23.10.2008.

2. Facts in brief are: the U.P Public Service Commission, issued an advertisement for the recruitment of Principals in the Government Inter Colleges and Lecturers in D.I.E.T institutions, dated 21.12.1998. The appellant claimed that he was one of the eligible candidates in the selection

process held to fill up the vacancies of the year 1999. Since the letter of appointment was not issued, he had filed a writ petition before the High Court.

3. In the Writ Petition filed before the High Court, the learned counsel appearing for the State Commission had made a statement that as and when the vacancies would arise or the appellant's turn would come, he would be issued with the necessary letter of appointment.

4. Keeping in view the statement so made by the learned counsel for the State Commission, the learned Judges of the High Court had disposed of the writ petition as having become infructuous.

5. Aggrieved by the judgment and order passed by the High Court the appellant is before us in this Civil Appeal.

6. We have heard the learned counsel for the parties to the *lis*.

7. After going through the judgment and order passed by the High Court, we are of the considered opinion that the High Court, instead of dismissing the petition as having become infructuous should have disposed of the Writ Petition in view of the statement made by the learned counsel for the State Commission.

8. In view of the above, we modify the last portion of the order passed by the High Court as under:

"In view of the statement made by the learned counsel for the State Commission, the Writ Petition is disposed of. Ordered accordingly."

9. The Civil Appeal is disposed of with the aforesaid modification.

Ordered accordingly.

.....CJI.  
(H.L. DATTU)

.....J.  
(S.A. BOBDE)

.....J.  
(ARUN MISHRA)

NEW DELHI,  
APRIL 29, 2015

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

CONTEMPT PETITION (C) NO.311 OF 2010  
IN  
CIVIL APPEAL NO. 1124 OF 2000

ANIL KUMAR SHAHI & ORS. . .PETITIONER(S)

VERSUS

JITENDRA KUMAR & ANR. . .RESPONDENT(S)

O R D E R

1. This contempt petition seeks initiation of appropriate proceedings against the respondents for willful disobedience of the order passed by this Court in Contempt Petition (C) No.91 of 2006 in C.A. No.1124 of 2000 with C.P. (C) No.162 of 2007 in C.P. (C) No.91 of 2006 in C.A. No.1124 of 2000, dated 24.07.2008.

2. We have heard Shri Mohit Chaudhary, learned counsel appearing for the petitioners and also perused the records of the case.

3. We are of the considered opinion that there is no willful disobedience of this Court's Order dated 24.07.2008 by the respondents/ alleged contemnors.

4. Accordingly, the contempt petition is dismissed.

.....CJI.  
(H.L. DATTU)

.....J.  
(S.A. BOBDE)

.....J.  
(ARUN MISHRA)

NEW DELHI,  
APRIL 29, 2015

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.10859 OF 2010

RAM RATAN CHATURVEDI & ORS.

APPELLANT(S)

VERSUS

STATE OF U.P.& ORS.

RESPONDENT(S)

O R D E R

1. This appeal is directed against the judgment and order passed by the High Court of Judicature at Allahabad in Writ A. No.10974 of 2009, dated 06.08.2010.

2. We have heard Shri Basant R., learned senior counsel for the appellants and carefully perused the material available on record.

3. In our considered opinion, we do not see any good ground to interfere with the impugned judgment(s) and order(s) passed by the High Court. Accordingly, the Civil Appeal is dismissed.

.....CJI.  
(H.L. DATTU)

.....J.  
(S.A. BOBDE)

.....J.  
(ARUN MISHRA)

NEW DELHI,  
APRIL 29, 2015.



Mr. Mohit Chaudhary, Adv.  
Ms. Puja Sharma, Adv.  
Mr. Imran Ali, Adv.  
Ms. Vaishali Mittal, Adv.  
Ms. Damini Chawla, Adv.

Mr. Basant R., Sr. Adv.  
Mr. Arvind Kumar Shukla, Adv.  
Mr. Alok Shukla, Adv.  
Ms. Sweta Rani, Adv.  
Mr. Amit Shukla, Adv.  
Mr. Nihal Ahmad, Adv.  
Mr. Navanak Shekhar Mishra, Adv.  
Mr. Mayank Singh Chauhan, Adv.

Mr. Pramit Saxena, Adv.

Mr. Vishwa Pal Singh, Adv. (Not present)

Mr. Debasis Misra, Adv. (Not present)

For Respondent(s) Mr. Shrish Kr. Misra, Adv.  
Mr. Piyush Dwivedi, Adv.

Mr. Shail Kumar Dwivedi, Adv.

Mr. M. R. Shamshad, Adv.  
Mr. Rajat Singh, Adv.  
Mr. Shashank Singh, Adv.  
Mr. Ahmad S. Azhar, Adv.

Mr. Ranbir Singh Yadav, Adv.

Mr. C.D. Singh, Adv.

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

Civil Appeal No(s). 10857/2010

Disposed in terms of the signed order.

CONMT.PET.(C) No. 311/2010 In C.A. No. 1124/2000

Dismissed in terms of the signed order.

C.A. No. 10859/2010

Dismissed in terms of the signed order.

SLP(C) No. 12397/2011

None appears for the petitioners.

The special leave petition is dismissed for non-prosecution.

SLP(C) No. 35736/2011

None appears for the petitioners.

The special leave petition is dismissed for non-prosecution.

SLP(C) No. 8237/2012

None appears for the petitioners.

The special leave petition is dismissed for non-prosecution.

SLP(C) No. 7049/2015

Dismissed.

(Neetu Khajuria)  
Sr.P.A.

(Vinod Kulvi)  
Assistant Registrar

(Three Signed orders in C.A. 10857, 10859/2010 and Cont.Ptn.311/2010 are placed on the file.)