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SLP(C)No. 8320 OF 2000
ITEM No.203

Court No. 6

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.8320/2000

(From the judgement and order dated 21/04/1999 in CMWP 10304/96
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

STATE OF U.P.

Petitioner (s)

VERSUS

DEEPAK KUMAR SINGH JAISWAL
(With prayer for interim relief)
(With Appln(s). for exemption from filing O.T. and
exemption from filing c/c of the impugned Judgment and
taking additional document on record)
(For Final Disposal)

Respondent (s)

Date : 07/12/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU
HON'BLE MRS. JUSTICE RUMA PAL

For Petitioner (s) Mr. Subodh Markandya, Sr. Adv.
Mr. Ashok K. Srivastava, Adv.
Mr. Prakash Kumar Singh, Adv.

For Respondent (s) Ms. Kamini Jaiswal, Adv.
Mrs. Shomila Bakshi, Adv.
Ms. Aishwaya Rao, Adv.
Ms. Bipaakkhi, Adv.

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

.....L.....I.....J
.SP2

Leave granted.
Appeal is disposed of in terms of the signed order.

.SP1

(Meenu Sethi)
Court Master

(Om Prakash)
Court Master

Signed order is placed on the file

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.8402 OF 2001@@
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(@ Special leave petition (C) No. 8320/2000)

State of U.P. .. Appellant

Vs.

Deepak Kumar Singh Jaiswal .. Respondent

O_R_D_E_R@@
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.....L.....I.....T.....T.....T.....T.....T.....J.....
.SP2

Leave granted.

Pursuant to certain selections made to the post of Assistant Engineers a Select List alongwith waiting list thereto was prepared by U.P. Public Services Commission in 1989 and on that basis a petition was filed before the High court for appointment of respondent No.1 to the post of Assistant Engineer. The High Court while disposing of the matter stated as follows:

.SP1

"In view of this fact, we direct the Government to decide the representation and if the posts so notified are still vacant issue appointment order in favour of the petitioner in accordance with the ranking in the select list."

.SP2

Though a direction was made by the High Court that the Government will decide the representation to be made by respondent No. 1, the latter portion of the order that the appointment should be made in favour of the respondent in accordance with the ranking in the select list may not be appropriate and that part of the

-2-

order shall stand set aside. It is brought to our notice that now the representation made by the respondent having been rejected, a Writ petition has been filed in that regard, and we express no opinion on that aspect of the matter.

The appeal shall stand disposed of subject to the observations made as above.

.SP1

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[S. RAJENDRA BABU]@@
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[RUMA PAL]@@
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New Delhi,@@
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December 7, 2001.