

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1139 OF 2010
(@ SLP(C)No.26752/2008)

SHRIDHAR SHUKLA & ORS.

... APPELLANT(S)

VERSUS

STATE OF U.P. & ORS.

... RESPONDENT(S)

WITH CIVIL APPEAL NO. 1140 OF 2010 @ SLP(C)NO.2767/2009

O R D E R

Leave granted.

Heard learned counsel for the petitioners and also learned
counsel for the High Court.

In the District of Kaushambi vacancies of 21 Class-IV
employees were notified for selection and appointment. Total 2423
candidates submitted their applications for selection. Though
written test was not a requirement for the selection process, the
Committee thought of conducting a written test but no marks were
assigned for the written test and all candidates were called for
interview and the same was held within two days and the appellants
herein were selected and they were appointed. Some of the candidates
who were unsuccessful in the selection, filed writ petitions
challenging the selection. The learned Single Judge rejected their
contentions and approved the selection made by the Committee.

Aggrieved by the same, they filed Writ Appeals before the
High Court and the Division Bench, by the impugned judgment, set
aside the selection and thereafter the appellants' services were
terminated from 2008. Pursuant to the directions issued by the

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Division Bench, we are told that the process of second selection is
on and fresh applications have been called for and those who have
not already submitted their applications were not required to submit
fresh applications and they were also to be considered. In view of
these circumstances, we do not propose to interfere with the
impugned judgment. Accordingly, these appeals fail. However, we
make it clear that in case any of these appellants are found to be

over-aged, that shall not be ground for their disqualification for being selected for appointment.

With the above observations, we dispose of these appeals.

No costs.

.....CJI
(K.G. BALAKRISHNAN)

.....J.
(V.S.SIRPURKAR)

.....J.
(DEEPAK VERMA)

NEW DELHI;
29TH JANUARY, 2010

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ITEM NO.202

COURT NO.1

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 (Civil)
No(s).26752/2008

(From the judgement and order dated 17/10/2008 in SA No.
668/2004 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

SHRIDHAR SHUKLA & ORS.

Petitioner(s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T.,stay,deletion of the name of respondent,permission to file additional documents,bring on record subsequent event and prayer for interim relief)

(for final disposal)

WITH SLP(C) NO. 2767 of 2009

(With prayer for interim relief and office report)

Date: 29/01/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE V.S.SIRPURKAR
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Ms.Mahalakshmi Pavani, Adv
Mr.G.Balaji, Adv.
for M/S.Mahalakshmi Balaji & Co.,Advs.

For Respondent(s) Mr. Ravi Prakash Mehrotra, Adv.
Mr. Vibhu Tiwari, Adv.

Mr. Anil Kumar Jha ,Adv(NP)

Mr. P.V. Yogeswaran ,Adv(NP)

Ms. Shobha Dikshit, Sr. Adv.

Ms. Malvika Trivedi, Adv.

Mr. Anuvrat Sharma ,Adv

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Mr. Manoj K. Mishra ,Adv

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

Leave granted.

Heard learned counsel for the petitioners and also learned
counsel for the High Court.

The appeals are disposed of, in terms of the signed
order.

(G.V. Ramana)
Court Master

(Veera Verma)
Court Master

(signed order is placed on the file)