

IN THE SUPREME COURT OF INDIA

INHERENT JURISDICTION

CONTEMPT PETITION(CIVIL) NO. 172 OF 2016

IN

CIVIL APPEAL NO. 504 OF 2011

SUDHANSHU TIWARI

Petitioner(s)

VERSUS

SURESH KUMAR SINGH & ORS.

Respondent(s)/  
Alleged Contemnor(s)

WITH

CONTEMPT PETITION(CIVIL) NO. 221/2016 In C.A. No. 504/2011

CONTEMPT PETITION(CIVIL) NO. 1081/2019 in C.A. No. 505/2011

O R D E R

CONMT.PET.(C) No. 172/2016 In C.A. No. 504/2011

The U.P. Public Service Commission recommended 20 names for appointment to the post of ARPOs in the year 2017. 11 out of 20 persons who were recommended belonged to non-reservation category. The name of the petitioner was not included in the list as persons who secured more marks than him have been included in the said list. The learned counsel for the petitioner submitted that the person at serial no. 1 in the said list had passed away, and there are a few others who did not join. According to him, the name of the petitioner has to be included in the said list.

Though, the petitioner joined in another service i.e. the Manager Credit, non-technical Grade II, he is entitled to seek appointment to the post of ARPO on the basis of his merit, in the vacancies that arose due to the non-joining of some persons in the list and the death of one of the candidates. Learned Senior counsel for the State Government is directed to take instructions about the status of the list of 20 candidates who are recommended by the Public Service Commission for appointment as ARPOs pursuant to the advertisement issued on 1.1.1999.

List this matter after two weeks.

CONMT.PET.(C) No. 221/2016 In C.A. No. 504/2011

List after two weeks.

In the meanwhile, the learned counsel for the State may file an affidavit stating the compliance of the orders passed by this Court.

CONMT.PET.(C) No. 1081/2019 in C.A. No. 505/2011

Learned counsel for the petitioner submits that the petitioner has been appointed as ARPO and all consequential benefits pertaining to protection of pay, seniority and promotion have been given. The second financial upgradation was granted under the Assured Career Promotion Scheme though according to the petitioner, it should have been

given from an earlier date.

The contempt petition is disposed of in view of the compliance of the directions issued by this Court. If the petitioner has any further grievance regarding the implementation, he can pursue other remedies available under the law.

Pending application(s), if any shall stand disposed of.

..... J  
[ L. NAGESWARA RAO ]

..... J  
[ B.R. GAVAI ]

NEW DELHI  
21ST JANUARY, 2022

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CONMT.PET.(C) No. 172/2016 In C.A. No. 504/2011

SUDHANSHU TIWARI

Petitioner(s)

VERSUS

SURESH KUMAR SINGH &amp; ORS.

Respondent(s)

(IA No. 4/2017 - EXEMPTION FROM FILING O.T.)

WITH

CONMT.PET.(C) No. 221/2016 In C.A. No. 504/2011 (III-A)

(IA No. 37716/2017 - IA FOR DIRECTIONS

IA No. 198872/2019 - INTERVENTION/IMPLEADMENT

IA No. 142511/2018 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)CONMT.PET.(C) No. 1081/2019 in C.A. No. 505/2011 (III-A)(FOR FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON  
IA 3415/2021 FOR EXEMPTION FROM FILING O.T. ON IA 3416/2021

IA No. 3416/2021 - EXEMPTION FROM FILING O.T.

IA No. 3415/2021 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

Date : 21-01-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE B.R. GAVAI

For Petitioner(s) Mr. Adesh Kumar Gill, Adv.  
M/S. V. Maheshwari & Co., AORMr. Kripa Shankar Prasad, Adv  
Ms. Ritu Rajkumari, Adv.  
Mr. Amit Upreti, Adv  
Mr. Rakesh Mishra, AORMr. Anurag Dubey, Adv.  
Mr. Meenesh Dubey, Adv.  
Mr. S. Bhagat, Adv.  
Mr. S. R. Setia, AORFor Respondent(s) Mr. Ajay Kumar Misra, Sr. Adv. (AAG-UP)  
Mr. Tanmaya Agarwal, AOR  
Mr. Wrick Chatterjee, Adv.

Mr. Shrish Kumar Misra, AOR  
Ms. Deepika Mishra, Adv.  
Mr. Abhishek Misra, Adv.  
Mr. A.P. Misra, Adv.

Mr. Adarsh Upadhyay, AOR

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

CONMT.PET.(C) No. 172/2016 In C.A. No. 504/2011

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CONMT.PET.(C) No. 221/2016 In C.A. No. 504/2011

List after two weeks.

In the meanwhile, the learned counsel for the State may file an affidavit stating the compliance of the orders passed by this Court.

CONMT.PET.(C) No. 1081/2019 in C.A. No. 505/2011

The contempt petition is disposed of terms of the Signed Order.

Pending application(s), if any shall stand disposed of.

(SONIA BHASIN)  
COURT MASTER (SH)

(ANAND PRAKASH)  
BRANCH OFFICER

[Signed Order is placed on the file]