

SU P R E M E COUR T OF INDI A
R EC O R D OF P R OC E E D I N G S

Petition for special leave to appeal (C.) Nos. 2 2 5 3 6 - 2 2 5 3 9 / 2 0 0 5

(From the judgment and order dated 1 9 . 5 . 2 0 0 5 passed by the High Court of
Judicature at Allahabad in C.W. P . N o s. 1 6 1 5 4 , 2 3 1 6 5 , 2 5 6 2 8 and 4 2 5 2 6 of
2 0 0 5 .

Vijay Shan ker Shar ma & Ors. Petitioner (s)

versus

State of U.P. & Ors. Respondent (s)

(With Appln. for stay/directions and interventions and office report)
(For final disposal)

WI T H
SL P(C)Nos. 1 3 8 3 - 1 3 8 6 , 2 4 2 4 , 3 8 8 9 and 8 4 1 1 / 2 0 0 6

(With applns. for exem. from filing OT,c/c of the impugned jt., permission to file
addl. documents, prayer for interim relief and office report, dispensing with service
of notice and c/d in filing SL P and for final disposal)

Date: 2 7 / 1 1 / 2 0 0 7 This matter was called on for hearing today.

CORAM:

HON' B L E MR. JUS T I C E C.K. THA K K E R
HON' B L E MR. JUS T I C E D.K. J A I N

For Appellant (s) Mr. Kaila s h Vasudeo,S r.Adv.
In SL P 2 2 5 3 6 - 3 9 / 0 5 , Mr. Binay Kr. Jh a,Adv.
2 4 2 4 and 8 4 1 1 / 0 6 Dr. Sudha k a r Choudhary,Adv.
Mr. D.Mishr a,Adv.

In SL P(C)Nos. 1 3 8 3 - 1 3 8 6 / 0 6 Mr. Ajay Veer Singh J ain,Adv.
Mr. B.S. J a i n ,Adv.
Ms. Mamta J ain,Adv.
Mr. Anand Mishr a,Adv.
Mr. Manish Raghav,Adv.
Dr. (Mrs.)Vipin Gupta,Adv.

In 3 8 8 9 / 0 6 Mr. Shree P al Singh,adv.

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For respondent(s) Mr. R. K.G upta,Adv.
Mr. Rajeev Dubey,Adv.
Mr. Ka mlendr a Mishra,Adv.

In 2 2 5 3 6 - 3 9 & 1 3 8 3 - 8 6 / 0 6 Mr. J atinder Kr. Bhatia,Adv.

In 2 2 5 3 6 - 3 9 / 0 5 Mr. Pr adeep Mishra,Adv.

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

Delay condoned in SL P(C)No.8 4 1 1 / 2 0 0 6 .
We have heard learned counsel for the parties.

So f

ar as the decision impugned in the present petitions is concerne
d, some of the directions which have been issued by the High Court

read thus:

(i) The Uttar Pradesh State Road Transport Corporation shall consider giving weightage to the apprentice trainees in the relevant trade as well as to the contract conductors as per year of their experience which shall be included in the second stage selection while computing the marks of each candidates. Necessary corrigendum be issued by the Corporation before embarking upon the second stage selection.

(iii) Those apprentice trainees who have not submitted their application in response to the advertisement dated 1.2.2005 shall be permitted to submit their application within three weeks from today to participate in the second stage selection.

When the SLPs were filed against the above directions (i) and (iii), notice was issued and an affidavit in reply was filed on behalf of the Respondents No.2-4 by Assistant Regional Manager, U.P.S.R.T.C. In paragraph 20 and 21, it was stated as under:

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(20) That all these directions given by the High Court have been complied with by the Corporation, selection was made against total 1500 posts including the 400 posts which were earlier kept reserved for appointment amongst the dependent of deceased employees, weightage has been given to apprenticeship trainees as well as for serving on contract basis, age relaxation was also given to the Apprentices.

(21) That in compliance of the High Court judgment selection process has already been completed.

In view of the above facts and circumstances, in our opinion there is no doubt that the directions have been complied with. According to the learned counsel for the petitioners, the action which has been taken is not legal and not in accordance with law. It is clear that the order passed by the High Court is complied with. But if any individual person is aggrieved against the decision taken of not selecting him, it is open to him to take appropriate proceedings challenging such action. So far as the present SLPs are concerned, they deserve to be dismissed. Hence, SLPs are dismissed. However, this order will not come in the way of any aggrieved person to challenge a decision against him and to take appropriate steps in accordance with law.

Sushma Bajaj
Sr. P.A.

(Vinod Kulvi)
Court Master