

ITEM NO.2

COURT NO.2

SECTION II

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

Criminal Appeal No(s). 196/2022

HAZI MUSHAHID

Appellant(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

Respondent(s)

([FOR DIRECTIONS])

Date : 14-11-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE ABHAY S. OKA

For Appellant(s)

Dr. (Mrs.) Vipin Gupta, AOR

For Respondent(s)

Mr. Rauf Rahim, AOR
Mr. Ali Asghar Ali, Adv.

Mr. Rajiv Yadav, AOR

Mr. R.K. Raizada, Sr. Adv./AAG
Mr. Ajay Vikram Singh, AOR
Ms. Priyanka Singh, Adv.
Ms. Pranjali Goel, Adv.
Mr. Sharjul Ahamad, Adv.

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

We note with deep regret the manner in which the State Government of Uttar Pradesh has proceeded as also the obvious lack of communication with the Uttar Pradesh Public Service Commission, where a ping pong is going on. In view of the vacancies un-filled, a large number of 2382 posts were required to be carried forward.

To re-emphasize, we are dealing with the recruitment of specialized doctors throughout the State of Uttar Pradesh. On 10.06.2022, the Government of Uttar Pradesh requested the State Commission to re-advertise the vacancies. It took four months for the Commission to respond to that letter, vide letter 19.10.2022 seeking further information!

This is the position of the working of the commission when the matter is being monitored by this Court, reflecting on their inefficiency levels. Thereafter, the State Government sent a letter dated 20.10.2022 for the same posts and once again a letter was sent on 04.11.2022 by the Commission still pointing out deficiencies regarding lack of provision for horizontal reservations, lack of sub-categorization of physically handicapped category and lack of equivalent criteria for degree/diploma awarded by different bodies.

It is submitted that it is only on the submission of the necessary information that an advertisement for selection to vacant posts can be published by the Commission. The schedule given by the Commission takes us almost to the end of next year.

We deprecate the conduct of both the authorities and reject the time period given by the Commission. The two authorities will cooperate and inform whether

all information is ready or not for issuance of the advertisement by the next date, failing which we may consider referring this recruitment to a separate organization, if both of them are not capable of doing it.

The solution should be found in a joint meeting to be held from Monday onwards next week, if they are capable of doing so.

List on 02.12.2022 to report back whether all issues for proceeding with the issuance of advertisement have been sorted out or not.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)