

IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION

REVIEW PETITION (CIVIL)D.NO.1027 OF 2022

IN

SPECIAL LEAVE PETITION (CIVIL)NO.11323 OF 2021

VIJAY PRATAP YADAV AND ORS. ...Petitioners

Versus

STATE OF UTTAR PRADESH AND ORS. ...Respondents

O R D E R

Delay condoned.

After disposal of Special Leave Petition (Civil)No. 11323 of 2021 by Order dated 26.07.2021, Miscellaneous Application No. 1391 of 2021 was preferred, which was rejected by Order dated 9.9.2021. Thereafter, Review Petition (Civil)No. 32 of 2022 was preferred by the Special Leave Petitioners which was rejected by Order dated 11.1.2022 with following observations:-

“Application for permission to file review petition is granted.

Delay condoned.

This review petition arises out of the order dated 26.07.2021 passed by this Court in Special Leave Petition (Civil) No.11323 of 2021 which in turn was directed against the order dated 03.12.2019 passed by the High Court of Judicature at Allahabad, Lucknow Bench.

In terms of the decision of this Court in State of U.P and others v. Shiv Kumar Pathak and others, the State Government was granted liberty to fill up the remaining vacancies in accordance with law and after issuance of fresh advertisement. Accordingly fresh selection process was initiated.

However, grievance was made by the petitioners that the selection undertaken in pursuance of the earlier Notification dated 07.12.2012 ought to have been taken to logical conclusion. A subsidiary issue was also raised regarding refund of prescribed fees deposited by the petitioners.

Finding no merit in the substantive submissions raised in support of the petition, the petition was dismissed on 26.07.2021.

We have gone through the review petition which now raises a submission inter alia that 95 candidates who had not fulfilled the criteria of 60% for reserved category and 70% of unreserved category in terms of interim orders issued by this Court, were wrongly selected.

We have gone through the grounds raised in the review petition and find no reason to justify interference in this review petition.

This review petition is, therefore, dismissed.”

The present Review Petition is now preferred by those who were not parties to the litigation with an application seeking permission to file Review Petition.

The controversy having been considered on three occasions, we see no reason to grant the permission as prayed for. Consequently, the instant Review Petition is closed.

.....J.
[Uday Umesh Lalit]

.....J.
[Ajay Rastogi]

New Delhi;
23rd February, 2022.