

(2020) 06 J&K CK 0061

In the Jammu And Kashmir High Court

Case No : Other Writ Petition No. 1573 Of 2014

Abhey Sood And Others

APPELLANT

Vs

J.K.B.O.S.E And Others

RESPONDENT

Date of Decision : 30-06-2020

Acts Referred:

Citation : (2020) 06 J&K CK 0061

Hon'ble Judges : Rajesh Bindal, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Rajesh Bindal, J

1. The petitioners approached this Court praying for the following reliefs :-

"(a) For issuance of an appropriate writ, order or direction, in the nature of writ of mandamus commanding upon the respondents No. 1 to 3 to entertain the examination-forms of the petitioners and other similarly situated candidates for allowing them to appear in HSP-II Bi-Annual Examination-2014, without forcing them to deposit the late fee, in the given facts and circumstances of the case.

(b) With further writ of mandamus whereby directing the respondents to allot the Roll Numbers to the petitioners and other similarly situated candidates for appearing in the ensuing HSP-II Bi-Annual Examination-2014 and also declare their result."

2. Notice in the petition was issued on 10.10.2014 and the following interim order was passed.

"Issue notice.

Ms. Aruna Thakur, Advocate waives notice on behalf of respondents to 1 to 3, who shall file objections, if any, within two weeks. Now notice shall go to respondent No.4 only returnable within two weeks.

Meanwhile, subject to objections from the other side and till next date before the Bench, respondents No. 1 to 3 are directed to accept the application forms of the petitioners and process their cases for HCP-II Bi-Annual Examination, 2014 at their own risk and responsibility. However, it shall not create any equity or right in favour of the petitioners.

List immediately after two weeks."

3. Thereafter, the matter was never listed in Court as it was not pursued by the petitioners. Apparently, the petitioners have lost interest to pursue the present petition and get the same listed or may be with the interim directions issued by this court, the petitioners have already been granted relief by the authority concerned.

4. There are matters pending in this court in which issue of admission to various professional courses and other classes is involved. In some by interim order either admission was granted or seats were directed to be kept vacant but the cases are still lying in court for decades. There are matters where issues regarding construction of roads, culverts, schools, colleges, community centres and other projects of development are pending consideration before this court. In some cases interim stay has also been granted. In these cases even the government departments and counsels are not taking any interest to furnish the requisite information to the court and get those cases disposed of. In fact, as a result of pendency of these types of cases lot of development projects have been put on hold. These are few examples being noticed. There are many more.

5. Regularly, the cause list is being issued, which is being uploaded on the website of the High Court. The same is accessible to the Advocates as well as to the litigants. In the cause list issued for this Court, a specific note is being printed to the following effect:

"All Advocates whose cases are listed in cause list are requested to contact the concerned Bench Secretary-Mr. Hilal Yousuf on Mobile No. 9419150533 / Reader-Mr. Reagan Thakur on Mobile No. 9419140621."

6. In the present case as well none of the parties contacted the Bench Secretary or Reader of this Court.

7. Considering the aforesaid facts, the prayer made in the present petition has been rendered infructuous as the petitioners have not shown any interest in the present petition for the last 06 years. The same is accordingly, dismissed, however, with liberty to the petitioner to get the same revived within a period of three months from the date of this order.