

(2012) 01 AHC CK 0075
In the Allahabad High Court
Case No : Writ Petition No. 274 (S/S) of 2012

Amit Singh and Others

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 13-01-2012

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2012) 01 AHC CK 0075

Hon'ble Judges : Devendra Kumar Upadhyaya, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Hon"ble Devendra Kumar Upadhyaya, J.—The petitioners have challenged the impugned order dated 11.01.2012 issued by the Controller of Examination, U.P.Public Service Commission, Allahabad, whereby the representation of the petitioners made pursuant to the order passed by this Court on 09.01.2012 has been rejected. In a nutshell, submission of learned counsel for the petitioners is that the petitioners have been declared successful for appearing in the Combined Lower Subordinate Service (General Selection) Main Examination, 2008 which is scheduled to commence from 15.01.2012 and will end on 28.01.2012. He further submits that the petitioners also have to appear in the Judicial Services Examination commencing from 16.01.2012 to be conducted by the Bihar, Public Service Commission and as such it would be appropriate that the dates of examination being conducted by the U.P. Public Service Commission may be directed to be adjusted and varied so that the petitioners are able to take competitive examinations being conducted by both the Public Service Commissions.

2. Earlier the petitioners had filed Writ Petition bearing No. 102 (S/S) of 2012 which was finally disposed of by this Court vide order dated 09.01.2012 directing the Secretary, U.P.Public Service Commission to decide the representation to be preferred by the petitioners for redressal of their alleged grievance.

3. U.P. Public Service Commission appears to have taken a decision embodied in the office memorandum dated 11.01.2012 whereby the request of the petitioners has been rejected. Reasons indicated in the impugned office memorandum dated 11.01.2012, inter alia, are that the dates of examination being conducted by the Bihar Public Service Commission were declared at a later point of time than the declaration of dates of examination to be conducted by the U.P. Public Service Commission. It has also been stated in the aforesaid office memorandum that the present examination is already running behind schedule and further that all the preparations for conducting the examination have been completed. The candidates have been issued call letters and all the examination teams have also proceeded to the respective examination centres. Therefore, reasons given in the impugned office memorandum issued by the U.P. Public Service Commission for not exceeding to the prayer made by the petitioners are sufficient and adequate. At this stage, any interference in the examination schedule will not be in the public interest as it shall affect a large number of candidates. Moreover, since the examination schedule by the U.P. Public Service Commission was declared prior to declaration of the examination schedule by the Bihar Public Service Commission and as such at this juncture, no interference by this Court in the impugned decision of the U.P. Public Service Commission is warranted in exercise of its extraordinary jurisdiction under Article 226 of the Constitution of India. Accordingly, the writ petition being devoid of merit is hereby dismissed.