
(2008) 05 AHC CK 0128

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 21954 of 2004

Kailash Maurya and others

APPELLANT

Vs

Union of India and others

RESPONDENT

Date of Decision : 09-05-2008

Acts Referred:

Citation : (2008) 05 AHC CK 0128

Hon'ble Judges : S.P.Mehrotra, J

Final Decision : Dismissed

Judgement

S.P. Mehrotra, J.—It appears that the petitioners applied for the post of C.T./G.D. in Central Reserve Police Force. The petitioners qualified in physical efficiency test and written test. However, in the medical examination, the petitioners were declared unfit.

2. The petitioners have filed the present writ petition for issuance of writ, order or direction in the nature of mandamus directing the respondents to conduct remedial test of the petitioners taking into consideration, the medical fitness certificate issued by the Chief Medical Officer, Azamgarh. The writ petition was filed during summer vacation in the year 2004.

3. In paragraph 3 of the writ petition, it is, inter alia, stated that the remedial test had started on 20.5.2004 and the last date was 12.6.2004.

4. In paragraph 14 of the counteraffidavit, it has, inter alia, been stated that the petitioners had preferred. Appeals before the Deputy Inspector General, Central Reserve Police Force, Allahabad, and the same were rejected for the reasons mentioned in the said paragraph 14 of the counteraffidavit.

5. Sri S.K. Rai, learned Counsel for the respondents states that the said appeals were rejected in the year 2004.

6. The case has been taken up in the revise list. Learned Counsel for the petitioners is not present.

7. Sri S.K. Rai, learned Counsel for the respondents is present and he has been heard.

8. Sri S.K. Rai submits that the present writ petition pertains to the recruitment held in the year 20032004, and the writ petition has become infructuous by lapse of time as the recruitment in question was completed and no vacancy remained to be filled.

9. From the above narration of the facts and considering the nature of reliefs sought in the writ petition, it is evident that the writ petition has become infructuous by lapse of time.

10. The writ petition is, accordingly, dismissed as having become infructuous.