

(2020) 06 J&K CK 0004
In the Jammu And Kashmir High Court
Case No : Other Writ Petition No. 306 Of 2010

Paras Saini

APPELLANT

Vs

State Of J&K And Others

RESPONDENT

Date of Decision : 30-06-2020

Acts Referred:

Citation : (2020) 06 J&K CK 0004

Hon'ble Judges : Rajesh Bindal, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Rajesh Bindal, J

1. The petitioner approached this Court way back in the year 2010, praying for the following reliefs :-

"a. An appropriate writ, order or direction in the nature of writ of mandamus commanding the respondents 2 to 4 to issue Admit Card in favour of the petitioner so as to enable him to appear in the entrance test for the MD/MS seats slated to be held on 28th March 2010 at Jammu pursuant to advertisement notice No. 02/BOPEE of 2010 dated 16.02.2010.

b. an appropriate writ, order or direction in the nature of writ of mandamus commanding the respondents to consider and select the petitioner to undergo MD/MS course in any of the Government Medical colleges pursuant to his selection in the entrance examination being conducted by the respondents."

2. Notice in the petition was issued on 26.03.2010 and the following interim order was passed :-

"OWP No. 306/2010:

Notice.

Requisites for service within one week.

CMP No. 416/2010:

Notice. In the meanwhile, respondent Nos. 2 to 4 are directed to issue Admit Card to the petitioner for taking the Entrance Examination for MD/MS Course pursuant to Notification No. 02 BOPEE of 2010 dated 16.02.2010. Petitioner's result shall not, however, be declared until further orders from the Court.

List for consideration after two weeks.

A copy of this order, as requested, be supplied to the petitioner under the seal and signatures of Bench Secretary."

3. A perusal of the aforesaid order shows that though, admit card was directed to be issued to the petitioner to appear in the entrance for examination for MD/MS course, in view of the notification dated 16.02.2010, however, his result was not be declared.

4. Thereafter, the matter was listed in the Court twice on 16.04.2010 and 01.05.2010 and no one appeared for the petitioner.

5. 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.

6. 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."

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

8. Detailed reasons have been noticed in order dated June 30, 2020 passed in SWP No. 2374/2002 titled as Santosh Kumari Vs. State of J&K and others."

9. The aforesaid facts clearly establish that the prayer made in the present petition has been rendered infructuous, at this stage, as admission in the session 2010 is not possible after a decade.

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