
(2011) 04 UK CK 0022

In the Uttarakhand High Court

Case No : Writ Petition No. 301 of 2011 (S/S)

Subhash Chand Datt Bhatt

APPELLANT

Vs

State of Uttarakhand and Another

RESPONDENT

Date of Decision : 07-04-2011

Acts Referred:

Citation : (2011) 04 UK CK 0022

Hon'ble Judges : Sudhanshu Dhulia, J

Bench : Single Bench

Judgement

Sudhanshu Dhulia, J.—In this writ petition, the selection process for appointment to the post of Veterinary Pharmacist was under challenge. This Court on the last occasion had passed the following orders:

Heard Mr. Swapnil Bisht, Advocate for the Petitioner.

Admit.

Notices on behalf of both the Respondents have been accepted by Mr. N.P. Sah, Standing Counsel for the State of Uttarakhand.

Since this has been brought to the notice that many such writ petitions have been filed in this Court challenging the selection/appointment of Veterinary Pharmacist, this Court, though hesitant to interfere in the selection process, realizes that there is an urgency in the matter.

List this matter on 7.4.2011 in the daily cause list along with Writ Petition (S/S) No. 257 of 2011.

The Petitioner was candidate for the post of Veterinary Pharmacist. The Petitioner states that although he did his diploma in the year 1998, the candidates who have done their diploma in subsequent years have been selected though as per the Rules year-wise selections had to be made. On this averment, it is directed that though Respondent No. 2 may continue the selection process, and in case

they issue appointment letters to the selected candidates, it will be specified that their appointments shall be subject to the final outcome of the writ petition.

2. Today, Sri N.P. Sah, learned Standing Counsel for the State has produced before this Court a fax message which he has received from the Director, Department of Animal Husbandry, Uttarakhand which states that the aforesaid selections for the post of Veterinary Pharmacists have been cancelled. There has been a notice to this effect in "Dainik Jagran" dated 5.4.2011 as well which has also been placed by the learned State Counsel. Both these documents are being placed on record.

3. In view of the above, since the entire selection itself has been cancelled, the cause of action for filing the writ petition does not survive. Writ petition is accordingly disposed of.

4. However, it is directed that the Director, Department of Animal Husbandry, Uttarakhand or the authorities concerned who will ultimately make a selection to bear in mind that the selections are made in accordance with law.