

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL No. 9994 OF 2011

**U.P.PUBLIC SERVICE COMMISSION THROUGH
ITS CHAIRMAN**

APPELLANT

VERSUS

SHAILENDRA SINGH & ANR.

RESPONDENTS

WITH

CIVIL APPEAL No. 9995 OF 2011

O R D E R

1. An adjournment is prayed on behalf of the learned counsel appearing for the appellant – Uttar Pradesh Public Service Commission¹ on the ground that he is in personal difficulty today.

2. Two issues arise for decision in these appeals, which are directed against the common judgment and order dated 13th August, 2008 of the High Court of Judicature at Allahabad. They are: (i) whether the principles of reservation as per roster were correctly applied by the UPPSC and (ii) whether the High Court could have set aside the selection of Dr. Permanand T. Dudhey without he being a respondent in the writ petition filed by the first respondent.

3. We find that the order allowing the writ petition of the first respondent was stayed by this Court on 27th March, 2009; hence, the directions given by the High Court could not be implemented.

4. The stay has been continuing for the last 17 (seventeen) years and, in the

meanwhile, all the private parties must have retired from service.

5. We also find from the office report that despite service of notice, the first respondent has not entered an appearance. It is, thus, evident that he too is disinterested in contesting the appeals.

6. Much water having flown under the bridge since the order was stayed, the issues raised in these appeals noticed above have now become academic. Deciding the issues, one way or the other, will make no practical difference to the parties anymore.

7. In such view of the matter, without expressing any opinion on the merits of the claim raised in the appeals by the appellants but keeping the question of law open, the appeals stand disposed of.

8. Pending interlocutory application(s), if any, shall also stand disposed of.

.....J.
[DIPANKAR DATTA]

.....J.
[SHEEL NAGU]

**New Delhi;
July 21, 2026.**

ITEM NO.101

COURT NO.6

SECTION III-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 9994/2011

U.P.PUBLIC SERVICE COMMISSION THROUGH ITS CHAIRMAN Appellant(s)

VERSUS

SHAILENDRA SINGH & ANR.

Respondent(s)

WITH

C.A. No. 9995/2011 (III-A)

Date : 21-07-2026 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SHEEL NAGU

For Appellant(s) : Mr. Ankur Prakash, AOR
Mr. Siddharth, AOR

For Respondent(s) : Mr. Ankit Goel, AOR

Mr. Kumar Parimal, Adv.
Mr. Smarhar Singh, AOR

UPON hearing the counsel the Court made the following
O R D E R

The appeals stand disposed of in terms of the signed order placed on the file.

(JATINDER KAUR)
P.S. to REGISTRAR

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)