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F.No.27(C)/17/2012-SRS
Government of India
Ministry of Personnel, P.G. & Pensions
Department of Personnel & Training

3rd Floor, Lok Nayak Bhavan,
Khan Market, New Delhi
Dated: 22nd August, 2013

To

The Chief Secretary,
Government of Uttar Pradesh,
Lucknow.

The Chief Secretary,
Government of Uttarakhand,
Uttarakhand.

22 AUG 2013

Sub.: Implementation of judgement dated 15.12.2011 of Uttarakhand High Court in Writ Petition No.240 of 2011 – Ayaz Ahmad Vs. Union of India & Ors. in pursuance of withdrawal of judgement dated 16.08.2013 of Supreme Court permitting withdrawal of SLP No.11769 of 2012.

Sir,

I am directed to say that the Hon'ble Uttarakhand High Court in their judgement dated 15.12.2011 in Writ Petition No.240 of 2011 had passed the following order:-

“Central Government in 2006 declared by the final allocation that the petitioner stand allocated to the State of Uttarakhand. Assuming, for good reasons, the said decision could be interfered by the Central Government, but apparently, there is no just reason to interfere with the same, for the only reason of non-availability of posts, whereas aforesaid more than 100 posts were available for being allocated to 304 projects. We, accordingly, find no reason on the part of the Central Government to interfere with the decision of 2006 and accordingly, set aside the orders passed by the Central Government, subsequent to which, the final allocation of petitioners made in 2006. The Writ Petitions are allowed to the extent as above.”

2. The judgement was challenged by the Central Government through SLP No.11769/2012. An identical bunch of SLPs No.5355-5359/2012 – Union of India Vs. Deepak Kumar Yadav and Others were filed by the Central Government against similar judgements of Hon'ble Uttarakhand High Court. The SLPs were decided in favour of the respondents as per order dated 17.04.2013. Consequently, the judgement was implemented in terms of order dated 14.05.2013 and all the 9 respondents were allocated to Uttarakhand. Since SLP No.11769 was identical to the bunched SLPs, it was realized that no fruitful result was expected from the outcome of SLP No.11769. An

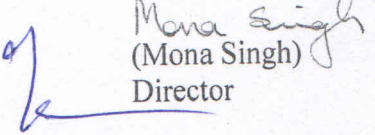
-4/-
Mona Singh

IA was filed in the Hon'ble Supreme Court for withdrawing the SLP. As per order dated 16.08.2013, the Hon'ble Supreme Court has permitted withdrawal of the SLP.

3. In view of the withdrawal order of the Hon'ble Supreme Court, it has been decided to implement the judgement dated 15.12.2011 of Hon'ble Uttarakhand High Court in Writ Petition No.240/2011. Accordingly, Sh. Ayaz Ahmad, Assistant Engineer (Civil) is hereby allocated to Uttarakhand, in compliance of judgement dated 15.12.2011 of Hon'ble Uttarakhand High Court.

4. The official may be apprised of the decision.

Yours faithfully,


Mona Singh
(Mona Singh)
Director

Copy to:-

- (1) Principal Secretary, UPRCD, Room No.46, Bahukhandi Bhawan, Secretariat, Govt. of U.P., Lukhnow.
- (2) Principal Secretary, PWD, Government of UP, Secretariat, Lucknow.
- (3) Principal Secretary, PWD, Government of Uttarakhand, Secretariat, Dehradun.
- (4) Secretary, Reorganization, Government of Uttarakhand, Secretariat, Dehradun.

