



2024:UHC:8787-DB

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

HON'BLE THE ACTING CHIEF JUSTICE MR. MANOJ KUMAR TIWARI
AND
HON'BLE MR. JUSTICE VIVEK BHARTI SHARMA

WRIT PETITION (S/ B) NO. 716 OF 2024

27TH NOVEMBER, 2024

Ruchika Bhatt Petitioner

Versus

High Court of Uttarakhand & others Respondents

Counsel for the petitioner : Mr. Shubhang Dobhal, learned counsel

Counsel for the respondents : Mr. Bhagwat Mehra, learned counsel for respondent No. 1

: Ms. Mamta Bisht, learned Deputy Advocate General for the State

: Mr. Pankaj Miglani, learned counsel for respondent No. 3

The Court made the following:

JUDGMENT: (per Hon'ble The Acting Chief Justice Mr. Manoj Kumar Tiwari)

By means of this writ petition, the petitioner has sought the following reliefs :

“(i) Issue a writ, order or direction in the nature of mandamus directing the respondents to grant the petitioner appointment in pursuance to her getting 8th rank in the Uttarakhand Judicial Service Civil Judge Examination, 2022.



(iii) Issue a writ, order or direction in the nature of mandamus directing the respondents to publish a reserve list of the top 25% waitlisted candidates in the Uttarakhand Judicial Service Civil Judge Examination, 2022.”

2) Petitioner participated in Uttarakhand Judicial Service Civil Judge Examination, 2022. There were seven vacancies for ‘General Category’ out of total 16 vacancies, for which selection was held, and petitioner stood at Sl. No. 8 in the ‘General Category’ in the merit list.

3) In this writ petition, petitioner contends that one candidate, who was selected against unreserved vacancy, has failed to turn up for joining, therefore, petitioner should be offered appointment against the said unfilled vacancy.

4) Mr. Bhagwat Mehra, learned counsel appearing for respondent No. 1, on instructions, submits that the unreserved candidate, namely, Vishal Thakur has now reported for joining on 21.11.2024, as he was earlier serving as Civil Judge (Junior Division) in State of Uttar Pradesh, and on his request the joining time given to him was extended from time to time, and now since he has



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reported for joining on 21.11.2024, therefore, the prayer as made in relief clause no. (i) do not survive. He submits that in relief clause no. (ii), petitioner has sought a direction to prepare a merit list in respect to the selection held for the year 2022, and since all the vacancies for which selection was held have been filled, therefore, prayer no. (ii) has become redundant.

5) This Court finds substance in the submission made by learned counsel for respondent No. 1.

6) In view of the above, the writ petition is dismissed as infructuous.

MANOJ KUMAR TIWARI, A.C.J.

VIVEK BHARTI SHARMA, J.

Dt: 27TH NOVEMBER, 2024

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