

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.752 OF 2017
[ARISING FROM SPECIAL LEAVE PETITION (C) NO.1004 OF 2017]

DR. UMESH KUMAR

APPELLANT (S)

VERSUS

STATE OF U.P. AND ANR.

RESPONDENT (S)

J U D G M E N T

KURIAN, J.

Leave granted.

2. In the nature of order we propose to pass in this matter it is not necessary to issue notice to the respondents.

3. The appellant is aggrieved since the prayer made by the appellant for consideration of representation for placement (Annexure P5) has been declined by the High Court on the ground of delay in approaching the High Court.

4. Having gone through the averments in the petition and the representation, we find that there is no justification for non-suiting the appellant on the ground of delay. The Representation dated 16.09.2016 is pending before Respondent No.2. Therefore, without expressing any opinion on the merits of the case, this appeal is disposed of directing the Respondent No.2 to consider the representation dated 16.09.2016 on its own merits and pass appropriate orders thereon in accordance with law and communicate the same to the appellant within a period of three months from the date of production of a copy of this judgment along with the copy of the special leave petition.

5. Pending application(s), if any, shall stand disposed of.

6. There shall be no orders as to costs.

.....J.
[KURIAN JOSEPH]

.....J.
[A.M. KHANWILKAR]

NEW DELHI;
JANUARY 20, 2017.

SUPREME COURT OF INDIA



JUDGMENT