

W.P. No. 22 (SB) of 2004
Hon'ble Irshad Hussain, J
Hon'ble B.S. Verma, J
(CLMA 7503 of 2004)

Heard Sh. S.S. Chauchan
learned counsel for the petitioner and
Sh. D.S. Patni learned counsel for the
respondent.

Learned counsel for the
petitioner has submitted that that
question raised in the present writ
petition is squarely covered by the
judgment dt. 5-10-2001 of this Court
passed in writ petition No. 860 (SB)
of 2001 (Sukh Dev Vs. State of
Uttaranchal and others)

Learned counsel for the
respondents is also agreed that the
case is squarely covered by the
aforesaid judgment provided that the
option of the petitioner submitted
before the Department is found to be
genuine.

In view of the aforesaid
statement, the writ petition is decided
in terms of Judgment dt. 5-10-2001
passed by this court in Writ Petition
No. 860 (SB) of 2001 (Sukh Dev Vs.
State of Uttaranchal and others)
provided that the option of the
petitioner submitted before the
Department is found to be genuine.

(B.S. Verma,J) (I.Hussain,J)
24-12-2005

M.K.