

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 116 of 2006 (S/B)

Gyan Sagar Kotia & another. Petitioners

Versus

Director of Ayurvedic Avam Unani Seva
Nideshalay & others. Respondents.

Mr. T.A. Khan, Advocate for the petitioners.
Mr. H.M. Raturi, Advocate for the respondents.

JUDGMENT

**Coram: Hon'ble J.S. Khehar, C.J.
Hon'ble Sudhanshu Dhulia, J.**

J.S. KHEHAR, C. J. (Oral)

The petitioners applied for the posts of Ayurvedic Medical Officers, advertised by the respondents. The petitioners were found to be ineligible. It is, therefore, that the petitioners approached this Court, by filing the present writ petition. In the interregnum, the respondents having completed the selection process, appointed persons found meritorious in the selection process as far back as in the year 2006. The petitioners have not impleaded the selected and appointed candidates as party respondents. About four years have passed by since their appointment as Ayurvedic Medical Officers. No interim order was passed in this case at any stage, to the effect, that appointments made by the respondents would be subject to the final outcome of the present writ petition.

In the aforesaid view of the matter, the determination of eligibility of the petitioners is purely academic at the present juncture. We, therefore, refrain to adjudicate the matter as has been raised in the present writ petition. If and when a similar occasion arises, the petitioners will be at liberty to re-agitate the issue of their eligibility.

The instant writ petition is disposed of in the aforesaid terms.

(Sudhanshu Dhulia, J.)

31.05.2010

(J.S. Khehar, C. J.)

31.05.2010