

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SWrit Petition(s) (Civil) No(s). 38/2026

MD. AINUL ANSARI

Petitioner(s)

VERSUS

HIGH COURT OF JHARKHAND & ANR.

Respondent(s)

(IA No. 8797/2026 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 19-01-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE JOYMALYA BAGCHIFor Petitioner(s) : Mr. Huzefa Ahmadi, Sr. Adv.
Mr. Kripa Shankar Prasad, Adv.
Mr. Sunil Khatwani, Adv.
Mr. Manoj Kumar Goyal, Adv.
Mr. Rishabh Goyal, Adv.
Mrs. Rashmi Naraina, Adv.
Mr. Indra Bhushan Prasad, Adv.
Ms. Mehjabin Ansari, Adv.
Mr. Kripa Shankar Prasad, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following

O R D E R

1. The petitioner applied for 15 vacancies in the position of the District Judge (Direct from Bar) advertised by the Jharkhand High Court vide Advertisement No.01/2024 on 12.11.2024. It seems that the High Court conducted the Mains written examination on 27.04.2025, and the petitioner also appeared in the aforesaid examination. The result was declared on 13.08.2025. Only 35 candidates were shortlisted for the viva-voce/interview and the petitioner was not amongst them. He said to have applied under the

RTI on 13.10.2025 to find out the reason for his exclusion. The High Court, in a reply dated 15.12.2025, disclosed that the petitioner secured 96.5 marks in the written examination and, thus, failed to achieve 50% cut-off i.e., 100 out of 200 marks, which were required to qualify for viva-voce.

2. The petitioner's contention is that the prescription of a 50% minimum benchmark to qualify for viva-voce/interview examination was prescribed after the issuance of the advertisement, and as such, the rules of the game could not have been changed when the game had already commenced.

3. On the other hand, we find that the recruitment of the above-mentioned service is governed by the Jharkhand Superior Judicial Service (Recruitment, Appointment and Conditions of Service) Rules, 2001. Rule 18 of these Rules contemplates that "before the start of the examination, the High Court may fix the minimum qualifying marks in the Preliminary Written Entrance Test and after the preliminary examination is held, it can prescribe a minimum benchmark for the main examination."

4. In view of the scheme of the Rule, what requires determination is whether the High Court had taken any decision before conducting the main written examination, prescribing the minimum qualifying marks. That being essentially a question of fact, we dispose of this writ petition with liberty to the petitioner to submit a representation to the Registrar General of the Jharkhand High Court, who, in turn, is directed to put up the same before the Hon'ble the Chief Justice of the High Court for relevant consideration.

5. It goes without saying that the High Court may inform the petitioner of the reasons in specific details on the basis of which he has disqualified from being called for the viva-voce/interview. It shall be appreciated if the reasons are communicated to the petitioner within two weeks of the submission of the representation.

6. Pending application(s), if any, shall stand closed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR