

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO.109 OF 2005

MAHARASHTRA STATE JUDGES ASSN. & ANR.

Petitioner(s)

VERSUS

HON'BLE BOMBAY H.COURT THR.REGISTRAR & ORS.

Respondent(s)

(With appln(s) for interim relief, modification of Court's order dated
14/03/2005 and office report)

With Writ Petition (C) No.85 of 2006

(With appln.(s) for stay, directions and office report)

Writ Petition (C) No.279 of 2004

(With appln.(s) for stay and office report)

Writ Petition (C) No.401 of 2004

(With appln.(s) for stay, directions and office report)

Date: 31/08/2006 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.K. THAKKER

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Petitioner(s)

Mr. M.D. Adkar,Adv.

In WP 109/2005:

Mr. Vijay Kumar,Adv.

Mr. Vishwajit Singh,Adv.

In WP 85/2006:

Dr. A.F. Julian,Adv.

Mr. Sumit Kumar,Adv.

for M/s. Arputham, Aruna & Co.,Adv.

In WP 279/2004:

Mr. Senthil Jagadeesan,Adv.

Mr. V. Ramasubramanian,Adv.

In WP 401/2004:

Mr. M.N. Rao,Sr.Adv.

Ms. Promila Thananjayan,Adv.

Mr. S. Thananjayan,Adv.

For Respondent(s)

Mr. U.U. Lalit,Sr.Adv.

Mr. Aniruddha P. Mayee,Adv.

Mr. Sanjeev Kumar Choudhary,Adv.

Mr. S.S. Shinde,Adv.

Ms. Mukti Chowdhary,Adv.

Mr. Ravindra K. Adsure,Adv.

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Dr. A.F. Julian,Adv.

Mr. Sumit Kumar,Adv.

for M/s. Arputham, Aruna & Co.,Adv.

Mr. Gopal Prasad,Adv.

Mr. V. Balachandran,Adv.

Mr. Riku Sharma,Adv.

for M/s. Corporate Law Group,Adv.

Mr. K. Ramamoorthy,Sr.Adv.

Ms. N. Shoba,Adv.

Mr. Sriram J. Thalopathy,Adv.

Mr. Jitendra Mohan Sharma,Adv.

Mr. Sandeep Singh,Adv.

Mr. Dilip Tandon,Adv.

UPON hearing counsel the Court made the following

O R D E R

In Writ Petition (C) No.109 of 2005:

Mr. U.U. Lalit, learned senior counsel, has produced before us a letter dated 23rd August, 2006, sent by the Registrar General of the High Court at Bombay to the advocate on-record in this Court stating that at the Chief Justice of the High Court had constituted a Committee of three Hon'ble Judges, the Committee has already given personal hearing to the concerned judicial officers on 5th August, 2006, and it is to submit the report. It is stated that the report is likely to be submitted shortly. We, therefore, adjourn the hearing of the writ petition for a period of six weeks.

On 3rd July, 2006, this Court directed that, in case the Rules are not framed by the High Courts till then as well, the effect and impact thereof would be considered in this matter. We also have a letter dated 7th July, 2006, sent by the Registrar General of the High Court to the Registrar of this Court stating that draft Maharashtra Judicial Officers Service Rules are still under consideration of the Committee constituted for the said purpose and that same would be made available as soon as they are approved by the Full House. The Rules have still not been finalised by the High Court. As already indicated in the order dated 3rd July, 2006, the effect and impact of non-finalisation of the Rules will be considered by this Court and consequential orders passed in case the Rules are still not finalised by the next date of hearing.

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In Writ Petition (C) Nos.85/2006, 279/2004 and 401/2004:

The Registrar General of the High Court of Madras has filed an affidavit dated 24th August, 2006, stating that the Rules, namely, Tamil Nadu State Judicial Service (Cadre and Recruitment) Rules, 2006, framed by the High Court have been sent to the State Government for approval/notification on 23rd August, 2006. The State Government is directed to take necessary action expeditiously and inform the Court on the next date of hearing. A copy of this order shall be served on the Law Secretary to the State Government.

The writ petitions are adjourned for six weeks.

[T.I. Rajput]

[V.P. Tyagi]

A.R.-cum-P.S.

Assistant Registrar