

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.96 OF 2006

(For Prel. Hearing)

MANJIT CHIB & ORS.

Petitioner(s)

VERSUS

STATE OF J&K & ORS.

Respondent(s)

(With appln(s) for directions and office report)

Date: 20/03/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE DR. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE C.K. THAKKER

For Petitioner(s)

Mr. Bhim Singh,Adv.

Mr. B.S. Billowria,Adv.

Mr. Vivek Gupta,Adv.

Mr. L.D. Sharma,Adv.

Ms. Ritupuri Bala,Adv.

Mr. Dinesh Kumar Garg,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

The subject-matter of the legality of the examination held in July, 2005, is before a learned Single Judge of the High Court and number of writ petitions on the same issue appear to be pending. Against an interim order passed by the learned Single Judge in those matters, the Division Bench modified that order dated 10th October, 2005, in terms of its order dated 15th December, 2005, and directed that the writ petitions be completed and posted for hearing at an early date. The order further contemplates that if

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the writ petitioners succeed, the respondent-Public Service Commission shall take necessary steps to undertake an exercise in compliance with the courts orders and hold a separate/special examination of all those writ petitioners who would qualify pursuant to the writ courts orders. The final examination has already commence and it is stated that declaration of the result thereof would create complication. Since the matters are pending before the High Court, we express no opinion on the merits one way or the other and, in fact, on that ground, we have declined to examine the petition in exercise of powers under Article 32 of the Constitution of India. It would, of course, be open to the petitioners to approach the High Court for appropriate relief and for fixing an actual date of hearing of the writ petitions. We have no doubt that the matters would be disposed of by the High Court very expeditiously.

The writ petition is, accordingly, dismissed.

A.R. -cum-P.S.

Court Master