

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

Petition(s) for Special Leave to Appeal (Civil) No(s).2580/2010

(From the judgement and order dated 27/10/2009 in DBCWP No.
4167/2007 of The HIGH COURT OF RAJASTHAN AT JAIPUR)

R.P.S.C. Petitioner(s)

VERSUS

BALVEER SINGH JAT & ORS. Respondent(s)

(With appln(s) for permission to place addl. documents on record and
prayer for interim relief and office report)

WITH SLP(C) NO. 2599 of 2010

(With prayer for interim relief and office report)

SLP(C) NO. 2653 of 2010

(With prayer for interim relief and office report)

SLP(C) NO. 2729 of 2010

(With prayer for interim relief and office report)

SLP(C) NO. 2755 of 2010

(With prayer for interim relief and office report)

SLP(C) NO. 2757 of 2010, SLP(C) NO. 2770 of 2010

(With appln. for permission to place addl. documents and prayer for
interim relief and office report)

SLP(C) NO. 2761 of 2010

(With prayer for interim relief and office report)

SLP(C) NO. 2768 of 2010

(With prayer for interim relief and office report)

SLP(C) NO. 2769 of 2010

(With prayer for interim relief and office report)

SLP(C) NO. 2989 of 2010

(With prayer for interim relief and office report)

SLP(C) NO. 3005 of 2010

(With prayer for interim relief and office report)

SLP(C) NO. 3291 of 2010

(With prayer for interim relief and office report)

SLP(C) NO. 3293 of 2010

(With prayer for interim relief and office report)

SLP(C) NO. 3294 of 2010

(With prayer for interim relief and office report)

SLP(C) NO. 3297 of 2010

(With prayer for interim relief and office report)

SLP(C) NO. 3299 of 2010

(With prayer for interim relief and office report)

With

SLP(C) No.33879/2009

(With appln. for impleadment and vacating stay and intervention and
with prayer for interim relief and office report)

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Date: 05/05/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE J.M. PANCHAL

HON'BLE DR. JUSTICE B.S. CHAUHAN

For Petitioner(s) Mr. P.P. Rao, Sr. Adv.
Mr. Pallav Shishodia, Sr. Adv.
Mr. Surya Kant, Adv.
Ms. Purnima Jauhari, Adv.

For Respondent(s) Mr. Anis Ahmed Khan, Adv.
Mr. Seeraj Bagga, Adv.
Mr. Asgar Ali Khan, Adv.
For Mrs. Sureshta Bagga, Adv.
Ms. Shobha, Adv.,
Mr. Mohinder Thakur, Adv.
Ms. Indu Malhotra, Sr. Adv.
Mr. Kapil Gupta, Adv.
Mr. Hanuman Singh Meheriya, Adv.
Mr. Roopa Ram Jangu, Adv.
Mr. Garima Kapoor, Adv.
Mr. Ejaz Maqbool, Adv.
Mr. Ashish Gopal Garg, Adv.
Ms. Shweta Garg, Adv.
Mr. Ajay Veer Singh, Adv.
Mr. Uday Ram, Adv.
Mr. Ashish Kumar Saini, Adv.
Mr. Milind Kumar, Adv.
Mr. Irshad Ahmad, Adv.
Mr. Sunil Kumar Jain, Adv.
Mr. Aneesh Mittal, Adv.
Mr. Krishna Pal Singh, Adv.
Ms. Charu Mathur, Adv.
Mr. K.P. Singh, Adv.
Mr. Ashwani Garg, Adv.
Mr. Vijay Kumar, Adv.

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Mr. Shiv Kumar Sharma, Sr. Adv.
Mr. R.K. Singh, Adv.
Mr. Abhinav Sharma, Adv.
Mr. Kumar Gaurav, Adv.

UPON hearing counsel the Court made the following
O R D E R

Leave granted.

The civil appeals are dismissed in terms of the signed
order.

SLP(C) No.6569/2010,
W.P.(C) NO.102/2010, W.P.(C) NO.113/2010,
W.P.(C) NO.114/2010, W.P.(C) NO.134/2010,
W.P.(C) NO.142/2010, W.P.(C) NO.146/2010, and
W.P.(C) NO.128/2010,

The writ petitions filed under Article 32 in respect of
the years 2005 and 2008 and special leave petition(C)
No.6569 of 2010 are dismissed as withdrawn.

(R.K. Dhawan)
AR-cum-PS

(Veera Verma)
Assistant Registrar

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4235 OF 2010
(Arising out of SLP(C) No.2580 of 2010)

R.P.S.C. . . . APPELLANT.

VERSUS

BALVEER SINGH JAT & ORS. . . . RESPONDENTS.

WITH

CIVIL APPEAL NO.4236 OF 2010
(Arising out of SLP(C) No.2599/2010)
CIVIL APPEAL NO.4237 OF 2010
(Arising out of SLP(C) No.2653/2010)
CIVIL APPEAL NO.4238 OF 2010
(Arising out of SLP(C) No.2729/2010)
CIVIL APPEAL NO.4239 OF 2010
(Arising out of SLP(C) No.2755/2010)
CIVIL APPEAL NO.4240 OF 2010
(Arising out of SLP(C) No.2757/2010)
CIVIL APPEAL NO. 4241 OF 2010
(Arising out of SLP(C) No.2761/2010)
CIVIL APPEAL NO.4242 OF 2010
(Arising out of SLP(C) No.2769/2010)
CIVIL APPEAL NO.4243 OF 2010
(Arising out of SLP(C) No.2768/2010)
CIVIL APPEAL NO.4244 OF 2010
(Arising out of SLP(C) No.2770/2010)
CIVIL APPEAL NO.4245 OF 2010
(Arising out of SLP(C) No.2989/2010)
CIVIL APPEAL NO.4246 OF 2010
(Arising out of SLP(C) No.3005/2010)
CIVIL APPEAL NO.4247 OF 2010
(Arising out of SLP(C) No.3291/2010)
CIVIL APPEAL NO.4248 OF 2010
(Arising out of SLP(C) No.3293/2010)
CIVIL APPEAL NO.4249 OF 2010
(Arising out of SLP(C) No.3294/2010)
CIVIL APPEAL NO.4250 OF 2010
(Arising out of SLP(C) No.3297/2010)
CIVIL APPEAL NO.4251 OF 2010
(Arising out of SLP(C) No.3299/2010)
CIVIL APPEAL NO.4252 OF 2010
(Arising out of SLP(C) No.33879/2010)

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AND

SLP(C) No.6569/2010,
W.P.(C) NO.102/2010, W.P.(C) NO.113/2010,
W.P.(C) NO.114/2010, W.P.(C) NO.134/2010,
W.P.(C) NO.142/2010, W.P.(C) NO.146/2010, and

O R D E R

Leave granted.

In 2005, Rajasthan Public Service Commission conducted test for the posts of Civil Judge (Junior Division) and 87 candidates were selected and they were appointed as Civil Judge (Junior Division) in 2007. The Rajasthan Public Service Commission had adopted a method of scaling for the purpose of assessment of answer sheets. Because of this, some of the candidates who had obtained less raw marks which were sealed up were called for interview and subsequently selected and appointed. Therefore series of writ petitions were filed before the High Court challenging the scaling method adopted by the Public Service Commission. The High Court by the impugned judgment has given certain directions and held that the fresh interviews of the candidates to be taken based on their raw marks obtained by them. As regards the candidates who have been already appointed by Rajasthan Public Service Commission, the High Court held that their appointments shall not be disturbed.

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Now, pursuant to the directions of the High Court, it appears that 8 candidates who had already undergone interview secured more marks than the candidates who were already appointed to the Judicial Service based on raw marks and six other candidates namely, Sarita Noushad, Ashutosh Kumawat, Rajant Khatri, Toshita Verma, Sarita Dhakad and Divya Singh were not subjected to interview though they have got higher raw marks. They have to be interviewed by the Rajasthan Public Service Commission. If any one of them is found to be eligible, such candidates are also entitled to get appointment. Eight candidates who had already secured more marks than, the last candidate appointed, should be considered for appointment. The Rajasthan Public Service

Commission is directed to conduct interview of above named six candidates within a period of three weeks. The eight candidates who had already undergone interview, need not be interviewed again. Final list of eligible candidates based on the marks secured by the candidates who were already interviewed and are to be interviewed, shall be prepared and from the said list appointments on nine vacant posts shall be made in order of merits. We are told that the names of the candidates who were already selected in 2008 are sent for appointment to the Government. Naturally, the appointments pursuant to this order would take place after

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the appointments of the candidates selected in 2008 but they will be entitled to get seniority after their appointments.

The civil appeals are disposed of accordingly.

SLP(C) No.6569/2010,
W.P.(C) NO.102/2010, W.P.(C) NO.113/2010,
W.P.(C) NO.114/2010, W.P.(C) NO.134/2010,
W.P.(C) NO.142/2010, W.P.(C) NO.146/2010, and
W.P.(C) NO.128/2010,

All the writ petitions filed under Article 32 in respect of the years 2005 and 2008 and special leave petition(C) No.6569 of 2010 are dismissed as withdrawn.

.....CJI
(K.G. BALAKRISHNAN)

.....J
(J.M. PANCHAL)

.....J
(Dr. B.S. CHAUHAN)

NEW DELHI;
MAY 5, 2010.