

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 S

Petition(s) for Special Leave to Appeal (C) No(s). 11885/2012

THE STATE OF BIHAR & ORS.

Petitioner(s)

VERSUS

DEVENDRA SHARMA

Respondent(s)

WITH

SLP (C) No. 2930/2015 (XVI)

SLP (C) No. 2914/2015 (XVI)

SLP (C) No. 3306/2015 (XVI)

SLP (C) No. 3352/2015 (XVI)

SLP (C) No. 2755/2015 (XVI)

SLP (C) No. 5983/2015 (XVI)

SLP (C) No. 7571/2015 (XVI)

SLP (C) No. 7574/2015 (XVI)

SLP (C) No. 7569/2015 (XVI)

SLP (C) No. 7577/2015 (XVI)

SLP (C) No. 7564/2015 (XVI)

SLP (C) No. 7562/2015 (XVI)

SLP (C) No. 7560/2015 (XVI)

SLP (C) No. 7568/2015 (XVI)

SLP (C) No. 2191/2014 (XVI)

SLP (C) No. 2042/2014 (XVI)

SLP (C) No. 20582/2015 (XVI)

SLP (C) No. 5964/2015 (XVI)

SLP (C) No. 8229/2015 (XVI)

SLP (C) No. 18198/2015 (XVI)

SLP (C) No. 10397/2015 (XVI)

SLP (C) No. 11886/2012 (XVI)

SLP (C) No. 6837/2016 (XVI)

SLP (C) No. 24742/2012 (XVI)

SLP (C) No. 24749/2012 (XVI)

(IA No.76851/2017-I A FOR BRINING ON RECRDS FACTS AND DEVEP.)

SLP (C) No. 11366/2015 (XVI)

SLP (C) No. 24744/2012 (XVI)

SLP (C) No. 11887/2012 (XVI)

SLP (C) No. 24743/2012 (XVI)

SLP (C) No. 24745/2012 (XVI)

SLP (C) No. 24753/2012 (XVI)

SLP (C) No. 14694/2015 (XVI)

SLP (C) No. 24518/2015 (XVI)

SLP (C) No. 20033/2012 (XVI)

(IA No.57184/2017-XTRA and IA No.68960/2017-impleading party and IA No.95965/2017-impleading party and IA No.116429/2017-impleading party and IA No.141582/2017-impleading party)

SLP (C) No. 20036/2012 (XVI)

SLP(C) No. 20038/2012 (XVI)  
SLP(C) No. 18197/2015 (XVI)  
SLP(C) No. 22300/2014 (XVI)  
SLP(C) No. 24748/2012 (XVI)  
SLP(C) No. 23837/2014 (XVI)  
SLP(C) No. 25895/2015 (XVI)  
SLP(C) No. 36406/2016 (XVI)  
SLP(C) No. 28306/2014 (XVI)  
(IA No.81500/2017-VACATING STAY In Connected Case SLP(C) No.003431-003431/2017 and IA No.77712/2017-CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. In Connected Case SLP(C) No.035375-035375/2014 and IA No.77710/2017-APPLICATION FOR SUBSTITUTION In Connected Case SLP(C) No.035375-035375/2014 and and IA No.69266/2017-impleading party and IA No.69268/2017-EXEMPTION FROM FILING O.T. and IA No.69279/2017-impleading party and IA No.69280/2017-EXEMPTION FROM FILING O.T. and IA No.69287/2017-impleading party and IA No.69288/2017-EXEMPTION FROM FILING O.T. and IA No.77045/2017-impleading party and IA No.77049/2017-EXEMPTION FROM FILING O.T. and IA No.78335/2017-impleading party and IA No.78337/2017-EXEMPTION FROM FILING O.T. and IA No.78345/2017-impleading party and IA No.78349/2017-EXEMPTION FROM FILING O.T. and IA No.79251/2017-impleading party and IA No.79253/2017-EXEMPTION FROM FILING O.T. and IA No.79255/2017-impleading party and IA No.79256/2017-EXEMPTION FROM FILING O.T. and IA No.79270/2017-impleading party and IA No.79273/2017-EXEMPTION FROM FILING O.T. and IA No.126790/2017-impleading party and IA No.126791/2017-EXEMPTION FROM FILING O.T. and IA No.136146/2017-impleading party and IA No.136148/2017-EXEMPTION FROM FILING O.T. and IA No.136155/2017-impleading party and IA No.136156/2017-EXEMPTION FROM FILING O.T.)  
SLP(C) No. 32024/2014 (XVI)  
SLP(C) No. 30707/2014 (XVI)  
SLP(C) No. 29303-29310/2014 (XVI)  
(and IA No.72293/2017-CLARIFICATION/DIRECTION and IA No.72294/2017-EXEMPTION FROM FILING O.T.)  
SLP(C) No. 29399/2014 (XVI)  
(and IA No.72283/2017-CLARIFICATION/DIRECTION and IA No.72284/2017-EXEMPTION FROM FILING O.T.)  
SLP(C) No. 29496/2014 (XVI)  
SLP(C) No. 29490-29492/2014 (XVI)  
SLP(C) No. 31562/2014 (XVI)  
SLP(C) No. 34248/2014 (XVI)  
SLP(C) No. 30732/2014 (XVI)  
SLP(C) No. 32033/2014 (XVI)  
SLP(C) No. 29940-29941/2014 (XVI)  
(IA No.77670/2017-PERMISSION TO FILE APPLICATION FOR DIRECTION and IA No.77673/2017-EXEMPTION FROM FILING O.T.)  
SLP(C) No. 30704/2014 (XVI)  
SLP(C) No. 31218/2014 (XVI)  
SLP(C) No. 157/2014 (XVI)  
SLP(C) No. 2190/2014 (XVI)  
SLP(C) No. 155/2014 (XVI)

SLP (C) No. 160/2014 (XVI)  
SLP (C) No. 161/2014 (XVI)  
SLP (C) No. 150/2014 (XVI)  
SLP (C) No. 162/2014 (XVI)  
SLP (C) No. 32590/2014 (XVI)  
SLP (C) No. 34132/2014 (XVI)  
SLP (C) No. 158/2014 (XVI)  
SLP (C) No. 159/2014 (XVI)  
SLP (C) No. 152/2014 (XVI)  
SLP (C) No. 156/2014 (XVI)  
SLP (C) No. 151/2014 (XVI)  
SLP (C) No. 32645/2014 (XVI)  
SLP (C) No. 33131/2014 (XVI)  
SLP (C) No. 32673/2014 (XVI)  
SLP (C) No. 32614/2014 (XVI)  
SLP (C) No. 33051/2014 (XVI)  
SLP (C) No. 34818-34820/2014 (XVI)  
(IA No.77654/2017-PERMISSION TO FILE APPLICATION FOR DIRECTION and  
IA No.77656/2017-EXEMPTION FROM FILING O.T.)  
SLP (C) No. 33708/2014 (XVI)  
SLP (C) No. 67/2015 (XVI)  
SLP (C) No. 34280/2014 (XVI)  
SLP (C) No. 34667/2014 (XVI)  
SLP (C) No. 34668/2014 (XVI)  
SLP (C) No. 35375/2014 (XVI)  
(IA No.77712/2017-CONDONATION OF DELAY IN FILING SUBSTITUTION  
APPLN. and IA No.77710/2017-APPLICATION FOR SUBSTITUTION and)  
SLP (C) No. 36513/2014 (XVI)  
SLP (C) No. 9/2015 (XVI)  
SLP (C) No. 2192/2014 (XVI)  
SLP (C) No. 2193/2014 (XVI)  
SLP (C) No. 3280/2015 (XVI)  
SLP (C) No. 36755/2014 (XVI)  
SLP (C) No. 3431/2017 (XVI)  
(IA No.81500/2017-VACATING STAY and and IA No.81501/2017-EXEMPTION  
FROM FILING O.T.)  
SLP (C) No. 923-924/2015 (XVI)  
SLP (C) No. 9534/2016 (XVI)  
SLP (C) No. 31452/2015 (XVI)  
SLP (C) No. 2573/2015 (XVI)  
Diary No(s). 9625/2017 (XVI)  
SLP (C) No. 28728-28729/2017 (XVI)  
(IA No.101181/2017-CONDONATION OF DELAY IN FILING and IA  
No.101182/2017-EXEMPTION FROM FILING O.T.)

Date : 03-04-2018 These petitions were called on for hearing  
today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR  
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Ranjit Kumar, Sr. Adv.  
Mr. Gopal Singh, AOR

Mr. Manish Kumar, Adv.  
Mr. Aditya Raina, Adv.

Mr. Navin Prakash, AOR

Mr. Binay Kumar Das, AOR  
Mr. Ravi Shankar Ravi, Adv.  
Ms. Priyanka Das, Adv.

Mr. Himanshu Shekhar, AOR

Mr. K. V. Mohan, AOR

Mr. M. Shoeb Alam, AOR  
Ms. Fauzia Shakil, Adv.  
Mr. Ujjwal Singh, Adv.  
Mr. Mojahid Karim Khan, Adv.

Mr. Manu Shanker Mishra, AOR

Mr. Yadunandan Bansal, Adv.  
Mr. Amit Kumar, Adv.  
Mr. Abhijat P. Medh, AOR  
Mr. Ravikesh Sinha, Adv.

Mr. Parmanand Gaur, AOR

Mr. Gaurav Agrawal, AOR

Mr. Sanjeev K. Pabbi, Adv.  
Ms. Priyanka Garg, Adv.  
Mr. Ajay Kumar Singh, AOR

Mr. Ajay Kumar Talesara, AOR

Mr. Saurabh Upadhyay, Adv.  
Ms. Akanksha Verma Chandok, Adv.  
Mr. S. K. Verma, AOR

Mr. Pallav Shishodia, Sr. Adv.  
Mr. Rajiv Kumar, Adv.  
Mr. Binod Kumar Singh, Adv.  
Mr. D.P. Mohanty, Adv.  
Mr. Rameshwar Prasad Goyal, AOR

Mr. A. P. Mohanty, AOR

Ms. Sandhya Tiwary, Adv.  
Mr. Mahendra Kumar, Adv.  
Dr. Kailash Chand, AOR

Mr. Kedar Nath Tripathy, AOR

Mr. Nitin Kumar Thakur, AOR

Mr. Akhilesh Kumar Pandey, AOR  
Mr. Brahma Kr. Pathak, Adv.

Mr. Raj Kishor Choudhary, AOR  
Mr. G.K. Pathak, Adv.  
Mr. Sukumar, Adv.  
Mr. Shakeel Ahmed, Adv.  
Mr. Anupam Bhati, Adv.

Mr. Vipin Kumar Jai, AOR

Mr. Ranjan Mukherjee, AOR

For Respondent(s) Mr. Abhinav Mukerji, AOR  
Mrs. Bihu Sharma, Adv.  
Ms. Purnima Krishna, Adv.

Mr. Gopal Singh, AOR

Mr. Kedar Nath Tripathy, AOR

Mr. Manu Shanker Mishra, AOR  
Mr. Nishant Kumar, Adv.

Mrs. Yugandhara Pawar Jha, Adv.  
Mr. Kunal Verma, Adv.  
Mr. Piyush Bhardwaj, Adv.

Mr. Akhilesh Kumar Pandey, AOR

Mr. Devendra Kumar Singh, Adv.  
Mr. Jagannath Singh, Adv.  
Mr. Prem Sunder Jha, AOR

Mr. Rajesh Prasad Singh, AOR

Mr. R. D. Upadhyay, AOR  
Mr. Mohd. Shahid Hussain, Adv.

Mr. Ajay Kumar Singh, AOR

Mr. Sunil Kumar, Sr. Adv.  
Mr. Atul Kumar, Adv.  
Ms. Archana Kumari, Adv.  
Mr. Jamnesh Kumar, Adv.  
Mr. Himanshu Shekhar, AOR

Mr. Pahlad Singh Sharma, AOR

Mr. Gaurav Agrawal, AOR

Mr. Binay Kumar Das, AOR  
Ms. Priyanka Das, Adv.  
Mr. Ram Ekbal Roy, Adv.

Mr. Shantanu Sagar, AOR

Mr. Kusum Chaudhary, AOR

Mr. Shiv Kumar Suri, AOR

Mr. Rajiv Shankar Dvivedi, AOR

Mr. K. V. Mohan, AOR

UPON hearing the counsel the Court made the following

O R D E R

We have gone through the supplementary affidavit filed on behalf of the State of Bihar. Broadly there are four categories of cases:

(i) Appointments made on the basis of forged appointment letter. They are at S.Nos. 2 to 48.

(ii) Appointments made on the basis of forged nursing registration certificate. They are at S. Nos. 49-50-51.

(iii) Appointments made by a person who was not competent to make the appointment. They are at S.Nos. 52 to 92.

(iv) There is a residual category at S.NO. 1 i.e. appointment made by Dr. A.A. Mallick, Dy. Director, T.B. and S. Nos. 93 & 94 who are now claiming appointment. Their cases will be dealt with separately.

The first batch of cases i.e. S.Nos. 2 to 48 will be taken up for hearing on 12<sup>th</sup> July, 2018.

Learned counsel for the persons appearing at S. Nos. 2 to 48 may file their reply to the affidavit filed by the State of Bihar.

In the meanwhile, the others may also file their reply even though their cases will be taken up separately. It is submitted by some of learned counsel that their names are not included in the supplementary affidavit. They may give a list of such cases to Mr. Gopal Singh, learned AOR for the State of Bihar who will look into the matter and file an affidavit, if necessary.

Convenience volume may be filed by Mr. Gopal Singh, learned AOR for the State of Bihar.

(MEENAKSHI KOHLI)  
COURT MASTER

(SAROJ KUMARI GAUR)  
COURT MASTER