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SLP(C)No. 12092 OF 2000
ITEM No.39

Court No. 9

SECTION XVII
A/N MATTER

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 (Civil) No.12092/2000

(From the judgement and order dated 13/04/2000 in CWJC 454/92
of The HIGH COURT OF PATNA)

HARENDRA KUMAR DUBEY & ORS.

Petitioner (s)

VERSUS

STATE OF BIHAR & ORS.

Respondent (s)

(With prayer for interim relief)

With

SLP(C)No.12994/2000

(with prayer for interim relief)

Date : 23/02/2001 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.B. SHAH
HON'BLE MR. JUSTICE S.N. VARIAVA

For Petitioner (s) Mr. PS Mishra, Sr. Adv.
Mr. Vishu Sharma, Adv.
Mr. Tathagat H Vardhan, Adv.
Ms. S Swarupa, Adv.
Mr. Upendra Mishra, Adv. for
Mr. S.B. Upadhyay, Adv.

For Respondent (s) Mr. Rakesh Dwivedi, Sr. Adv.
Mr. B.B. Singh, Adv.
Ms. Sunita R Singh, Adv.

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

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Leave granted.

The appeals are disposed of in terms of the signed order.

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(D.L. Chugh)
Court Master

(K.K. Chadha)
Court Master

Signed order is placed on the file

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.1486 & 1487 OF 2001@@
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(Arising out of SLP(C) No.12092 & 12994 of 2000)

Harendra Kumar Dubey & Ors.Appellants

VERSUS

State of Bihar & Ors.Respondents

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Heard learned counsel for the parties.
Leave granted.

In pursuance of our order dated 8th January, 2001 respondent No.1 has produced the record pertaining to the results/merit list of the candidates interviewed in the year 1988 by the Bihar State Subordinate Selection Board. The Bihar State Public Service Commission has also produced for our perusal only tabulation statement and the results of the interviews held in the year 1988 by the Bihar State Subordinate Selection Board. Considering the aforesaid results learned counsel for the respondents also agrees that the case of the appellants and intervenors requires to be reconsidered by the High Court on the basis of the Reservation Policy. In this view of the matter, the impugned order dated 13th April, 2000, passed by the High Court in ...2/-

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CWJC No.454 of 1992 is set aside. The High Court is directed to reconsider the case on merits after giving an opportunity of hearing to the appellants as well as intervenors and the respondents. The respondent authorities would produce the aforesaid documents before the High Court for its perusal at the time of hearing of the matter. With these observations these appeals are disposed of with no order as to costs.

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.....J.@@
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(M.B. SHAH)@@
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.....J.@@
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(S.N. VARIAVA)@@
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New Delhi,
February 23, 2001