

ITEM NO.202 Court No.2 SECTION IVB

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).22721/2005

(From the judgement and order dated 01/09/2005 in CWP No. 14719/2004 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

HARYANA PUBLIC SERVICE COMMISSION Petitioner(s)

VERSUS

STATE OF HARYANA & ORS. Respondent(s)

(With office report)
(for final disposal )

WITH S.L.P.(C) NO.22748 of 2005
(With prayer for interim relief and office report)
(For final disposal)

S.L.P.(C) NO.22764 of 2005
(With prayer for interim relief and office report)
(For final disposal)

S.L.P.(C) NO. 22774 of 2005
(With prayer for interim relief and office report)
(For final disposal)

S.L.P.(C) NO. 23047 of 2005
(With prayer for interim relief and office report)
(For final disposal )

S.L.P.(C) NO. 23421 of 2005
(With prayer for interim relief and office report)
(For final disposal)

S.L.P.(C) NO. 6281 of 2006
(with office report)
(For final disposal)

S.L.P.(C) NO. 21527 of 2006
(With appln. for permission to file additional affidavit
and office report)
(For final disposal)

Date: 17/10/2011 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

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For Petitioner(s) Mr. Rajinder Mathur, AOR
Mr. Himanshu Gupta, Adv.
Mr. Shivaji M. Jadhav, AOR
Mr. Sanjay Hegde, Adv.
Mr. Tenzin Tsering, Adv.
Mr. Nithin, Adv.
Mr. Abhishek Malviya, Adv.
Mr. Anil Kumar Mishra, AOR

For Respondent(s) Mr. T.V. George, AOR
Mr. Rajinder Mathur, Adv.
Mr. Anil Kumar Mishra, AOR

Mr. Debasis Misra, AOR

Mr. Manjit Singh, AAG  
Ms. Vivekta Singh, Adv.  
Mr. Tarjit Singh, Adv.  
Mr. Gaurav Teotia, Adv.  
Mr. Sanjeev Kumar, Adv.  
Mr. Kamal Mohan Gupta, AOR

Mr. Ghan Shyam Vashist, AOR

Mr. A.P. Bhandari, Adv.  
Ms. Meera K. Patel, Adv.  
Mr. S.C. Patel, AOR

Mr. Shivaji M. Jadhav, AOR

Mr. D.S. Chauhan, AOR  
Mr. Rajinder Juneja, Adv.  
Mr. Anil Punja, Adv.

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

Except for S.L.P. (C) No.21527 of 2006, as far as  
the other special leave petitions are concerned, since  
there is an allegation of malpractice, the same, in our

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view, requires investigation, as directed by the High Court  
in the orders impugned in the special leave petitions.

It may be indicated that the issue of malpractice or  
bungling, whatever has been indicated, has a direct bearing  
on the outcome of the writ petitions and, accordingly, we  
vacate the stay orders, which had been passed initially in  
all these matters, staying the direction contained in the  
High Court judgment regarding the CBI inquiry.

It has been submitted on behalf of the petitioner,  
Haryana Public Service Commission, that the allegations of  
malpractice are entirely without any justification or  
foundation. That may be so and the said position would be  
confirmed during the inquiry. Accordingly, while keeping  
the said matters pending in this Court, we direct the  
Central Bureau of Investigation, as was directed by the  
High Court, to conduct inquiry within three months from the  
date of communication of this order and to submit a report  
to this Court on 17th January, 2012.

Let all the matters be listed on that date with the  
report to be submitted.

Since the CBI is not a party in this proceeding, the  
Registry is directed to forward a copy of this order to the  
Director, Central Bureau of Investigation, within a week  
from date.

Learned Additional Solicitor General, Mr. H.P.  
Raval, who is present in Court today, is requested to take  
further instructions in the matter on behalf of the C.B.I.  
Let a copy of this order be made available to Mr. Raval,  
for forwarding it to the C.B.I. authority.

Having heard Mr. Sanjay R. Hegde, learned Advocate  
appearing for the petitioner, in S.L.P. (C) No.21527 of  
2006, we are of the view that this matter need not be  
separated from the other matters and may also be heard

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along with the said matters on 17th January, 2012.

(Chetan Kumar)  
Court Master

(Juginder Kaur)  
Assistant Registrar