

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).11924-11925/2012

(Arising out of impugned final judgment and order dated 02/03/2012 in CMWP No. 20566/2010 & CMWP No. 57625/2010 passed by the High Court of Judicature at Allahabad)

NAWAL KISHOR MISHRA & ORS.

Petitioner(s)

VERSUS

HIGH COURT OF JUDICATURE OF ALLAHAB&ORS

Respondent(s)

(With appln(s) for permission to file additional documents and office report) (For Final Disposal)

WITH

SLP(C) No. 18597-18598/2012

(With Interim Relief and Office Report)

SLP(C) No. 26015-26016/2012

(With Office Report)

Date : 05/11/2014 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA  
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Petitioner(s) Mr. Dinesh Dwivedi, Sr. Adv.  
Ms. Minakshi Vij, AOR

Mr. P. K. Jain, AOR  
Mr. Saurabh Jain, Adv.  
Mr. P.K. Goswami, Adv.  
Mr. S.P. Singh, Adv.

Mr. Santosh Kumar, Adv.  
Mr. V. Sushant Gupta, Adv.  
For Mr. Mushtaq Ahmad, AOR

For Respondent(s) Mr. Irshad Ahmad, AAG  
Mr. Abhishth Kumar, AORS  
Ms. Archana Singh, Adv.  
Mr. Som Raj Chaudhury, Adv.

Mr. Ashok K. Srivastava, AOR

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

Subsequent to our order dated 28.10.2014, when these special leave petitions were taken up for hearing Mr. Ashok K. Srivastava, learned counsel appearing for the High Court of Allahabad represented that the Full Court Resolution dated 10.4.2004 placed before this Court on 28.10.2014 did not pertain to the appointment of Higher Judicial Service. While expressing his apology for having placed before this Court a document unconnected to the issue concerned in these special leave petitions, learned counsel submitted that there was another Resolution passed in February, 2009 by the Full Court of the Allahabad High Court which directly pertains to the appointment of persons to the Higher Judicial Service by way of direct recruitment to whom the policy of reservation, as provided under the U.P. Act No.4 of 1994, was applied. Learned counsel submitted that he had great handicap in getting proper instructions on the earlier occasion which led to placing of a Resolution which related to the employees of the establishment and not Higher Judicial Service and seeks time to place the relevant Resolution pertaining to the Higher Judicial Service regarding application of reservation along with an affidavit sworn by the Registrar General of the Allahabad High Court.

We grant two weeks' time to file necessary affidavit along with the documents with an advance copy to be served on the other side.

Two weeks' time thereafter is granted for filing reply to any such affidavit filed on behalf of the High Court of Allahabad.

We also direct the Registrar General of the High Court of Allahabad to be present in the Court on the next hearing date.

The original records shall also be kept ready by the learned counsel for the High Court of Allahabad on the next hearing date.

Call these special leave petitions on 4.12.2014 for further hearing.

(NARENDRA PRASAD)  
COURT MASTER

(SHARDA KAPOOR)  
COURT MASTER