

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

REVIEW PETITION (CIVIL) NO.3098 OF 2015

IN

CIVIL APPEAL NO.6312 OF 2014

State of Jharkhand and Another

Petitioner(s)

Versus

Budhdeo Oraon and Others

Respondent(s)

W I T H

REVIEW PETITION (CIVIL) NO.1855 OF 2014

IN

CIVIL APPEAL NO.6312 OF 2014

AND

I.A. NO.5 IN CIVIL APPEAL NO.6311 OF 2014

O R D E R

R.P.(C) Nos.3098 of 2015 and 1855 of 2014

Heard Mr. Ranjit Kumar, learned Solicitor General for the petitioner and Mr. Kapil Sibal, learned senior counsel for the respondents.

Delay condoned.

The present review petitions have been filed for correction of the following direction:-

"In pursuance of the aforesaid order certain employees had been employed and are working presently. The Division Bench of the High Court wherein direction has been given for CBI

investigation is monitoring the same. The High Court may do the needful in the matter as per law and we are inclined to set aside the direction pertaining to investigation by the CBI. Regard being had to the interim order passed we are inclined to direct that the direction passed by the Division Bench to the effect that the candidates selected in 2nd Combined Civil Services Examination held pursuant to Advertisement No.07 of 2005 would not be allowed to work and draw their salary till further orders of this Court is set aside. However, we may hasten to add that the persons who are working presently shall continue till the High Court finally decides the *lis*. Needless to emphasise, while deciding the controversy the High Court shall be guided by the decisions of this Court and the concept of service jurisprudence."

Having heard learned counsel for the parties, we direct that the said paragraph should be read as follows:-

"In pursuance of the aforesaid order certain employees had been employed and are working presently. The Division Bench of the High Court wherein direction has been given for CBI investigation is monitoring the same. The High Court may do needful in the matter as per law and we are only inclined to set aside the direction pertaining to monitoring of investigation by the High Court. Regard being had to the interim order passed we are inclined to direct that the direction passed by the Division Bench to the effect that the candidates selected in 2nd Combined Civil Services Examination held pursuant to Advertisement No.07 of 2005 would not be allowed to work and draw their salary till further orders of the High Court is set aside. However, we may hasten to add that the persons who are working presently shall continue till the High Court finally decides the *lis*. Needless to

emphasise, while deciding the controversy the High Court shall be guided by the decisions of this Court and the concept of service jurisprudence. "

The review petitions are, accordingly, disposed of.

I.A. No.5 in Civil Appeal No.6311 of 2014

The interlocutory application stands disposed of in terms of the order passed in the aforesaid review petitions.

.....J.
[Dipak Misra]

.....J.
[D.Y. Chandrachud]

New Delhi
January 27, 2017.

ITEM NO.50

COURT NO.2

SECTION XVII

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

R.P.(C) No.3098/2015 In C.A. No.6312/2014

STATE OF JHARKHAND & ANR.

Petitioner(s)

VERSUS

BUDHDEO ORAON & ORS.

Respondent(s)

(With appln. (s) for c/delay in filing review petition and exemption from filing c/c of the impugned judgment and exemption from filing O.T. of Annexures and permission to bring additional documents)

WITH R.P.(C) No.1855/2014 In C.A. No.6312/2014
I.A. No.5 in C.A. No.6311/2014

(With appln.(s) for clarification of Court's order 11.07.2014 and office report)

Date : 27/01/2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Mr. Ranjit Kumar, SG
Mr. Ajit Kumar Sinha, Sr. Adv.
Mr. Tapeshe Kumar Singh, AOR
Mohd. Waquas, Adv.
Mr. Aditya Pratap Singh, Adv.

Mr. Amarendra Sharan, Sr. Adv.
Mr. Amit Kumar, Adv.
Mr. Shaurya Sahay, Adv.
Mr. Avijit Mani Tripathi, Adv.
Mr. Prithvi Pal, Adv.
Ms. Rekha Bakshi, Adv.
Mr. Abhishek, Adv.
Mr. Amit Kumar, AOR

Mr. Nirmal Kr. Ambastha, Adv.
Mr. Nirnimesh Dube, AOR

For Respondent(s) Mr. Himanshu Shekhar, AOR
Mr. Jamnesh Kumar, Adv.

Mr. Kapil Sibbal, Sr. Adv.
Mr. Shantanu Kumar, AOR
Mr. Pankaj Kuamr, Adv.

Mr. N.K. Kaul, ASG
Ms. Binu Tamta, Adv.
Mr. Sanyat Lodha, Adv.
Mr. Kapil Rustagi, Adv.
Hansa Kaul, Adv.
Mr. R.S. Gena, Adv.
Mr. G.S. Makker, Adv.
Mr. Mukesh Kumar Maroria, AOR

Mr. Ajit Kr. Sinha, Sr. Adv.
Mr. Krishnanand Pandey, Adv.

Mr. S.N. Jha, Sr. Adv.
Dr. M.V. Chandra, Adv.
Mr. Prem Prakash, Adv.

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

Delay condoned.

The review petitions and the interlocutory application are disposed of in terms of the signed order.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Court Master

(Signed order is placed on the file)