

SECTION XI
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

LISTED ON: 30.08.2013
COURT NO. 1
ITEM NO. 42

CIVIL APPEAL NOS. 1867 OF 2006

WITH

INTERLOCUTORY APPLICATION NO. 113

(Application for directions on behalf of Govt. of Mizoram filed by Mr. P. V. Yogeshwaran, Adv.)

AND

INTERLOCUTORY APPLICATION NO. 115

(Application for impleadment filed by Mr. Rakesh Kumar, Adv..)

AND

INTERLOCUTORY APPLICATION NO. 118

(Application for intervention filed by Mr. Anil Kumar, Adv.)

AND

INTERLOCUTORY APPLICATION NO. 119

(Application for permission to file application for intervention /intervention and directions filed by Mrs. Naresh Bakshi, Adv.)

AND

INTERLOCUTORY APPLICATION NO. 120

(Application for permission to file application for impleadment as a party respondent)

AND

INTERLOCUTORY APPLICATION NO. 121

(Application for Modification filed by Mr. Avijit Bhattacharjee, Adv.)

AND

INTERLOCUTORY APPLICATION NO. 122

(Application for permission to fill up the vacancies on behalf of Hon'ble Court of Himachal Pradesh)

MALIK MAZHAR SULTAN & ANR.ETC.

....APPELLANTS

VERSUS

U.P. PUBLIC SERVICE COMMISSION & ORS.

....RESPONDENTS

OFFICE REPORT

It is submitted that matter above mentioned was listed before the Hon'ble Court on 09.01.2013 when the Hon'ble Court was pleased to pass the following order:-

"Re: State of Meghalaya

As per the information furnished by the Gauhati High Court, two recommendations for appointment to the post of District Judge (Direct) and four recommendations for appointment to the post of Civil Judge (Sr. Division) were made to the State on 12th December, 2012.

Learned counsel appearing for the State submits that, if that be so, appropriate steps for issue of appointment letters shall be taken forthwith. However, in case there is any objection to the said recommendations, the same shall be duly communicated to the High Court immediately.

Re: State of Bihar

Mr. Pravin H. Parekh, learned Senior Counsel appearing for the High Court has placed before us a copy of communication, dated 8th January, 2013, addressed by the Registrar General, High Court of Judicature at Patna to the Principal Secretary, General Administration Department, Government of Bihar, Patna, forwarding a draft notification in respect of the proposed amendments in the Bihar Superior Judicial Services Rules, 1951.

Learned Counsel appearing for the State has assured us that the requisite

notification shall be issued within a fortnight.

In light of the assurance, no further directions orders are called for.

Re: States of Assam, Tripura, Manipur, Mizoram, Nagaland, Nagaland, Arunachal Pradesh, Jammu and Kashmir, West Bengal and Chhattisgarh

For the present, no orders are called for.

Accordingly, certified copy of order dated 09.01.2013 was issued to the concerned High Court/Authorities as well as Mr Vijay Hansaria, Sr. Advocate, Amicus Curiae.

It is submitted that following affidavits/compliance report have been filed:-

S. No.

Affidavit/Compliance report

High Court/State

Page No.

1

Affidavit filed on 10.12.2012

State of Kerala

1-4

2

Affidavit filed on 22.12.2012

High Court of Jharkhand

5-13

3

Affidavit filed on 08.01.2013

Union Territory of Daman & Diu

14-15

4

Status Report filed on 05.01.2013

State of Haryana

16-26

5

Status Report filed on 18.01.2013

State of Tripura

27-32

6

Affidavit dated 21.01.2013

High Court of Guwahati

33-48

7

Compliance report dated 31.01.2013

High court of Judicature at Allahabad

49-52

8

Affidavit filed on 04.02.2013

U.T. Of Ponducherry

53-55

9

Affidavit filed on 06.02.2013

State of Jharkhand

56-59

10

Compliance report dated 11.02.2013

High Court of Cuttack

60-64

11

Status report dated 30.01.2013

High Court of Chattisgarh

65-66

12

Letter dated 21.01.2013

From retired District Judge, Member, Bihar State officer's of Associations
67-72
13
Letter dated 31.01.2013
High Court of Himachal Pradesh Shimla
73-74-75
14
Satus report dated 21.01.2013
State of Maharashtra
76-81A
15
Status report
High Court of Andhra Pradesh, Hyderabad
82-87
16
Fax dated 06.02.2013
High Court of Judicature at Patna
88-91
17
Affidavit dated 01.02.2013
High Court of Madras
92-101
18
Status report filed on 20.02.2013
Allahabad
102-140
19
Compliance report
High Court of Guwahati
141-169
20
Detailed status/ compliance report
High Court of Guwahati
170-319
21
Status report
State of Tripura
320-323
22
Compliance affidavit filed on 27.04.2013 by M/s Parekh & Co., Adv.
High Court of Judicature at Patna
324-330
23
Affidavit filed on 29.07.2013 by Mr. T. G. Nair, Adv.
High Court of Kerala
331-335
24
Affidavit filed on 07.08.2013 by Mr. T. V. Ratnam, Adv.
High Court of Andhra Pradesh
336-355

It is submitted that Mr. Anil Kumar, Advocate has on 17.10.2011 filed an application for intervention. Now he has served its copy on other side and the same has been registered as I.A. No. 118 (copy of the same is being circulated).

It is further submitted that Mr. P.I. Jose, Advocate has on 09.02.2012 filed reply to the rejoinder affidavit filed in I.A. No. 113 and copy of the same has been included in the paper books of I.A. No. 113.

It is further submitted that Mrs. Naresh Bakshi, Advocate has on 15.02.2013 filed an application for permission to file application for intervention alongwith accompanying application for intervention and directions. The application for

permission to file application for intervention has been registered as I.A. No. 119 (copy enclosed).

It is further submitted that Ms. Mridula Ray Bhardwaj, Advocate has on 06.03.2013 filed an application for permission to file application for impleadment to implead the applicant as a party respondent. The same has been registered as Interlocutory Application No. 120 (copy enclosed). Now, Mr. Merusagar Samantaray, Advocate has filed Vakalatnama and Memo of Appearance on his behalf after taking no objection certificate for erstwhile counsel namely Ms. Mridula Ray Bhardwaj, Advocate.

It is further submitted that Mr. Avijit Bhattacharjee, Advocate has on 16.05.2013 filed an application for modification on behalf of the State of West Bengal.

It is further submitted that copy of order dated 04.01.2007 marked as Annexure A1 with this application is in dim impression. However, the same has been registered as Interlocutory Application No. 121 (copy enclosed).

It is further submitted that Mr. Ashok Mathur, Advocate has on 08.08.2013 filed an application on behalf of the Hon'ble Court of Himachal Pradesh for permission to file up the vacancies. The same has been registered as Interlocutory Application No. 122 (copy enclosed).

The above mentioned affidavits/Compliance reports are included in Volume-XII of the paper book.

The matter alongwith the applications above mentioned is listed before the Hon'ble Court with this office report

Dated this the 27th day of August, 2013

ASSISTANT REGISTRAR

Copy to:

1. Mr. Vijay Hansaria, Sr. Adv. (A.C.) (422, New Lawyer's chamber)
2. Mr. Ejaz Maqbool, Adv. (No Chamber)
3. Mr. C.D. Singh, Adv. (38, Todar Mal Road, Bengali Market)
4. Mr. Shail Kumar Dwivedi, Adv. (341, new Lawyer's chamber)
5. Mr. Dharmendra Kumar Sinha, Adv. (8, Lawyer's chamber)
6. Mr. L.R. Singh, Adv. (20-A, Lawyer's chamber)
7. Mr. Ranjan Dwivedi, Adv. (424, Lawyer's chamber)
8. Mr. K.K. Mohan, Adv. (58, Lawyer's chamber)
9. Mr. Ashok K. Srivastava, Adv. (62, Lawyer's chamber)
10. Mr. S. Chander Shekhar, Adv. (89, Lawyer's chamber)
11. Mr. Kamalendra Mishra, Adv. (B-23, Sagar Apartment, 6, Tilak Marg)
12. Mr. Prashant Chaudhary, Adv. (No chamber)
13. Mr. Prakash Kumar Singh, Adv. (112, New Lawyer's chamber)
14. Mr. Debasis Misra, Adv. (9312790640)
15. Mr. J.R. Das, Standing Counsel for State of Orissa (106, New Lawyer's chamber)
16. M/s. Corporate Law Group, Standing Counsel for State of Assam (No Chamber)
17. Mr. Anil Srivastava, Standing Counsel for State of Arunachal Pradesh (23384150)
18. Mr. Anil Katiyar, Adv. for Central Agency
19. Mr. Gopal Singh, Standing Counsel for State of Bihar & Tripura (20-A, Lawyer's chamber)
20. Ms. Hemantika Wahi, Standing Counsel for State of Gujarat & Mizoram (235, Lawyer's chamber)
21. Ms. A. Subhashini, Standing Counsel for State of Goa (38, Lawyer's chamber)
22. Mr. T.V. George, Standing Counsel for State of Haryana (223, Lawyer's chamber)
23. Mr. J.S. Atri, Standing Counsel for State of Himachal Pradesh (
24. Mr. Sanjay R. Hegde, Standing Counsel for State of Karnataka (22792915)
25. Mr. G. Prakash, Standing Counsel for State of Kerala (128, Lawyer's

chamber)

26. Mr. K.H. Nobin Singh, Standing Counsel for State of Manipur(103, Lawyer's chamber)

27. Mr. Ravindra K. Adsure, Standing Counsel for State of Maharashtra(No Chamber)

28. Mr. Ranjan Mukherjee, Standing Counsel for State of Meghalaya(10, Lawyer's chamber)

30. Ms. Sumita Hazarika, Standing Counsel for State of Nagaland(9811979264)

31. Mr. Anuvrat Sharma, Standing Counsel for State of Uttrakhand

32. Mr. Kuldip Singh, Standing Counsel for State of Punjab(312, New Lawyer's chamber)

33. M/s. Arputham Aruna & Co., Standing Counsel for State of Sikkim(141, New Lawyer's chamber)

34. Ms. D. Bharathi Reddy, Standing Counsel for State of Andhra Pradesh(63, Lawyer's chamber)

35. Mr. Tara Chandra Sharma, Standing Counsel for State of West Bengal(131, Lawyer's chamber)

37. Mr. D.S. Mahra, Standing Counsel for Daman & Diu, Andaman & Nicobar, Lakshadweep and Dadra & Nagar Haveli and NCT of Delhi(Central Agency)

38. Ms. Kamini Jaiswal, Standing Counsel for U.T. of Chandigarh(43, Lawyer's chamber)

39. Mr. V.G. Pragasam, Standing Counsel for U.T. of Pondicherry(127, Lawyer's chamber)

40. Mr. Rajesh Srivastava, Standing Counsel for State of Chhatisgarh(139, Lawyer's chamber)

41. Ms. Rachana Srivastava, Standing Counsel for State of Uttaranchal(

42. Mr. Gopal Prasad, Standing Counsel for State of Jharkhand(53, Lawyer's chamber)

43. Mr. Aruneshwar Gupta, Standing Counsel for State of Rajasthan(No Chamber)

44. Mr. Anis Suhrawardy, Standing Counsel for J & K(203, New Lawyer's chamber)

45. Mr. R. Satish, Standing Counsel for State of Mizoram(316, Lawyer's chamber)

46. Mr. Aniruddha P. Mayee, Standing Counsel for High Court of Mumbai(107, Lawyer's chamber)

47. Mr. P.I. Jose, Standing Counsel for Gauhati High Court(120, Lawyer's chamber)

48. Mr. Pradeep Misra, Standing Counsel for State of U.P.(138, Lawyer's chamber)

49. Mr. J.K. Bhatia, Advocate, Standing Counsel for State of Rajasthan(13, Lawyer's chamber)

50. Mr. R. S. Jena, Standing Counsel for State of Orissa(106, Lawyer's chamber)

51. Mr. Ashok K. Srivastava, Standing Counsel for Allahabad High Court(62, Lawyer's chamber)

52. Mr. Ashok Mathur, Standing Counsel for High Court of H.P.(133, Lawyer's chamber)

53. Mr. B.S. Banthia, Standing Counsel for State of M.P.(501, Nirmal Tower, 26, Barakhamba road)

54. Mr. Kamal Mohan Gupta, Advocate for Intervenor (119, New Lawyer's chamber)

55. Mr. G. V. Rao, Adv.(341, Lawyer's chamber)

56. Mr. Vishnu Sharma, Advocate (No Chamber)

57. Mr. S. Janani, Adv. (62, Lawyer's chamber)

58. Mr. T. V. Ratnam, Adv. (129, New Lawyer's chamber)

59. Mr. T. Mahipal, Adv. (138, New Lawyer's chamber)

60. Mr. Y. Rajgopala Rana, Adv. (103, Lawyer's chamber)

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66. Mr. B.B. Singh, Standing Counsel for State of Jharkhand
67. Mr. S. C. Patel, Advocate
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