

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 1867 OF 2006

MALIK MAZHAR SULTAN AND ANR.

Appellant (s)

VERSUS

U.P. PUBLIC SERVICE COMMISSION & ORS

Respondent(s)

(With appln(s) for directions on behalf of govt. of Mizoram and impleadment and direction/impleadment and intervention and permission to file appln. for intervention and permission to file impleadment, modification and permission to fill up the vacancies)

(Regarding states of Uttar Pradesh, Assam, Tripura, Andhra Pradesh, Kerala and Bihar)

With

W.P.(C)No.46 of 2007

(With appln. for recalling the court's order and office report)

Date: 30/08/2013 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

Mr. Vijay Hansaria, Sr. Adv. (AC)

Mr. Avnish Pandey, Adv.

Mr. P.I. Jose, Adv.

Mr. Vishwanath Bahuguna, Adv.

For Appellant(s)

Mr. Ejaz Maqbool, Adv.

For Petitioner(s)  
in WC 46/07

Mr. Shankar Divate, Adv.

For Respondent(s)  
For U.P

Mr. Irshad Ahmed, AAG

Mr. Aviral Saxena, Adv.

Mr. Abhisht Kumar, Adv.

Ms. Archana Singh, Adv.

For Tamil Nadu Mr. B. Balaji, Adv.

Mr. S. Anand, Adv.

Mr. Rakesh Sharma, Adv.

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For M.P.

Mr. C.D. Singh, Adv.

Mr. Sunny Choudhary, Adv.

For Jharkhand

Mr. Krishnanand Pandey, Adv.

Mr. Jayesh Gaurav, Adv.

Mr. Amrendra Kr. Choubay, Adv.

Mr. Anil Kr. Jha, Adv.

For Patna H.C

Mr. Pravin H. Parekh, Sr. Adv.

Mr. K. Raj, Adv.  
Mr. Vishal Prasad, Adv.  
Mr. Abhishek Vinod Deshmukh, Adv.  
M/S. Parekh & Co. , Adv

For Calcutta H.C. Mr. Jaideep Gupta, Sr. Adv.  
Mr. Raja Chatterjee, Adv.  
Mr. Sachin Das, Adv.  
Mr. G.S. Chatterjee, Adv.

For Karnataka Mr. V.N. Raghupathy, Adv.  
Mr. Lagnesh Mishra, Adv.

For Nagaland Mrs. K. Enatoli Sema, Adv.  
Mr. Amit Kumar Singh, Adv.

For Mizoram Mr. Pragyan Sharma, Adv.  
Mr. Heshu Kayina, Adv.

For H.P. Mr. Surya Narayan Singh, AAG  
Ms. Pragati Neekhara, Adv.

For Sikkim Mrs. Aruna Mathur, Adv.  
Mr. Yusuf, Adv.  
Ms. Vishu, Adv.  
M/s. Arputham Aruna & Co.

For Bihar Mr. Gopal Singh, Adv.  
Mr. Manish Kumar, Adv.

For Tripura Mr. Gopal Singh, Adv.  
Mr. Ritu Raj Biswas, Adv.

For J&K Mr. Sunil Fernandes, Adv.  
Ms. Astha Sharma, Adv.  
Mr. Raghav Chadha, Adv.  
Mr. Neeraj Grover, Adv.

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For West Bengal Mr. Kalyan Kr. Bandopadhyay, Sr. Adv.  
& Applicant in Mr. Anip Sachthey, Adv.  
I.A.No.121 Mr. Soumitra G. Choudhary, Adv.  
Mr. Avijit Bhattacharya, Adv.

For Meghalaya Mr. Ranjan Mukherjee, Adv.  
Mr. S.C. Ghosh, Adv.  
Mr. S. Bhowmick, Adv.  
Mr. R.P. Yadav, Adv.

For Punjab Mr. Jagjit Singh Chhabra, Adv.

For Manipur Mr. Sapam Biswajit Meitei, Adv.  
Mr. Kh. Nobin Singh, Adv.

For Uttarakhand Ms. Rachana Srivastava , Adv  
Mr. Utkarsh Sharma, Adv.

For Rajasthan, Adv. Dr. Manish Singhvi, AAG  
Mr. Irshad Ahmad, Adv.

For Kerala Mr. T.G.N. Nair, Adv.  
Mr. K.N. Madhusoodhanan, Adv.  
Sri Mohammed Sadique T.A., Adv.

For UT of Mr. V.G. Pragasam, Adv.

Puducherry Mr. S.J. Aristotle, Adv.  
Mr. Prabu Ramasubramanian, Adv.

For Andhra Pradesh Mr. G.N.Reddy, Adv.  
Mr. Debojit Borkakati, Adv.  
Mr. Bala Shivudu M. Adv.

For Arunachal Pradesh Mr. Anil Shrivastav, Adv.  
Mr. Rituraj Biswas, Adv.

For Chattisgarh Mr. Aniruddha P. Mayee, Adv.  
Mr. Charudatta M. Adv.  
Ms. Priyanka Radhi, Adv.

For Delhi High Court Mr. A.D.N. Rao, Adv.  
Mrs. Neelam Jain, Adv.  
Ms. Mansha Monga, Adv.  
Mr. Sudipto S. Adv.

For Assam Ms. Krishna Sarma, AAG  
Mr. Riku Sarma, Adv.  
Mr. Navnit Kumar, Adv.  
M/S Corporate Law Group, Adv.

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For Gujarat Ms. Hemantika Wahi, Adv.  
Ms. Nandini Gupta, Adv.

Applicant in I.A. No.122 Mr. Ashok Mathur, Adv.

Mr. P.I. Jose, Adv.  
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Mr. K. Vinod Kumar, Adv.  
Mr. Viswanath Bahauguna, Adv.

Ms. Liz Mathew, Adv.  
Mr. M.F. Philip, Adv.

Mrs. G. Indira, Adv.  
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Mr. Vishnu Sharma, Adv.  
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Mr. Rakesh Kr. Khanna, ASG  
Ms. Gunwant Dara, Adv.  
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Ms. Suprita Misra Jha, Adv.  
Mr. Alok Misra, Adv.  
Mr. D.S. Mahra, Adv.

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Mr. Sanjay Kharde, Adv.  
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Mr. Lakshmi Raman Singh, Adv.  
Ms. A. Subhashini, Adv.  
Mr. Ashok K. Srivastava, Adv.  
Mr. Arun K. Sinha, Adv.  
Ms. Asha Jain Madan, Adv.  
Ms. Bina Gupta, Adv.

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Mr. Dharam Bir Raj Vohra ,Adv  
Mr. G. Prakash ,Adv.

Mr. K.K. Mohan,Adv  
Ms. Kamini Jaiswal,Adv  
Mr. Naresh K. Sharma,Adv  
Ms. Naresh Bakshi,Adv  
Mr. Pradeep Misra,Adv  
Mr. R. Sathish,Adv  
Mr. S.C. Patel ,Adv  
Mr. Sunil Kumar Jain,Adv  
Mr. Shrish Kumar Misra,Adv  
Mr. Tara Chandra Sharma,Adv  
Mr. T.V. Ratnam,Adv  
Mr. Ugra Shankar Prasad ,Adv  
Ms. S. Janani,Adv  
Mr. Ashok Kumar Singh,Adv  
Mrs.D. Bharathi Reddy ,Adv  
Mr. B.S. Banthia ,Adv  
Mr. Radha Shyam Jena ,Adv  
Mr. Sanjay R. Hegde ,Adv  
Mr. Y. Raja Gopala Rao ,Adv.  
Mr. Rauf Rahim,Adv.  
Mr. L.C. Agrawala,Adv.

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Mr. Shail Kumar Dwivedi ,Adv  
Mr. Abhijit Sengupta ,Adv  
Mr. R. Nedumaran ,Adv  
Mr. Kamal Mohan Gupta ,Adv  
Mr. Naresh Kumar ,Adv

Mr. Ashwani Kumar ,Adv

Mr. Rajesh Srivastava ,Adv  
Mr. Jatinder Kumar Bhatia ,Adv  
Mr. Kamendra Mishra ,Adv  
Mr. T. Mahipal ,Adv  
Ms. Sumita Hazarika ,Adv  
Mr. P.V. Yogeswaran ,Adv  
Mr. Siddhartha Chowdhury ,Adv  
Mr. Vishnu Sharma,Adv  
Mr.T.V.George,Adv  
Mr.Prakash Kumar Singh,Adv  
Mr.Sunil Kumar Verma,Adv  
Mr. Anuvrat Sharma,Adv  
Mr. Balaji Srinivasan ,Adv  
Mr. Milind Kumar,Adv  
Mr. Ajay Pal,Adv  
Mr. M.R. Shamshad,Adv  
Mr. Kaushal Yadav,Adv

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

Interlocutory Application No. 121

Heard Mr. Vijay Hansaria, Senior Advocate appearing as  
amicus curiae as well as learned counsel appearing on behalf of the

applicant- State of West Bengal.

In view of the reasons stated, we accept the claim of the applicant-State. Accordingly, we permit the State to follow the revised time schedule as stated in paragraph 4 in that application and in Annexures A-2 and A-4 for appointment to the post of Civil Judge (Junior Division) by direct recruitment for the year 2013.

Interlocutory Application is allowed.

Interlocutory Application No.122

Heard Mr. Vijay Hansaria, Senior Advocate appearing as amicus curiae as well as learned counsel appearing on behalf of the applicant-High Court of Himachal Pradesh.

In view of the reasons stated in the application, we accept and grant permission to the applicant-High Court of H.P. to fill up the existing vacancies and anticipated vacancies in the cadre of District/Additional District Judges and Civil Judges (Senior Division) in the State of Himachal Pradesh as per the revised time schedule.

Interlocutory application is allowed.

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Pursuant to the details furnished by Mr. Vijay Hansaria, learned amicus curiae with regard to the vacancies, we request the High Courts of following States viz. Uttar Pradesh, Maharashtra, Gujarat, Karnataka, Bihar and Rajasthan to furnish list of vacancies in District and Subordinate Courts as on 31st July, 2013 within a period of two weeks.

List the matters along with all other I.As on 23rd September, 2013.

[Madhu Bala]  
Sr.PA

[Savita Sainani]  
Court Master