

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 clarification/modification of order dated 3.12.2010 and exemption from filing O.T. and office report)

[REGARDING STATES OF ORISSA, JHARKHAND, JAMMU & KASHMIR, NORTH EASTERN STATES UNDER THE GUWAHATI HIGH COURT AND CHHATTISGARH]

Date: 22/11/2012 This Appeal along with I.As. was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Parties (s)

Mr. Vijay Hansaria, Sr. Adv. (AC)(N/P)
Ms. Sneha Kalita, Adv.

State of Chhattisgarh Mr. Atul Jha, Adv.
Mr. Dharmendra Kumar Sinha, Adv. Mr. Sandeep Jha, Adv.

State of Arunachal Pradesh Mr. Anil Shrivastav, Adv.
Mr. Ritu Raj Biswas, Adv.

State of Jharkhand Mr. Anil Kr. Jha, Adv.

Jharkhand HC Mr. Ambhoj Kumar Sinha, Adv.
Mr. Amrendra Kr. Choubey, Adv.
Mr. Krishnanand Pandey, Adv.

HC of J & K Mr. Bharat Sangal ,Adv
Ms. Srijana Lama, Adv.
Ms. Ramandeep Kaur, Adv.
Mr. R.R. Kumar, Adv.

State of J & K. Mr. Sunil Fernandes, Adv.
Ms. Vernika Tomar, Adv.
Ms. Astha Sharma, Adv.
Ms. Insha Mir, Adv.

...2/-

:2:

State of Nagaland Mr. K. Enatoli Sema, Adv.
Mr. Amit Kumar Singh, Adv.
Mr. Balaji Srinivasan ,Adv

HC of Orissa Mr. Sibho Sankar Mishra, Adv.

Mizoram Mr. K.N. Madhusoodhanan, Adv.

State of Mizoram Mr. Pragyan P. Sharma, Adv.
 Ms. Mandakini Sharma, Adv.
 Mr. Rupesh Gupta, Adv.
 Mr. Gautam Dhamija, Adv.
 Ms. Heshu Kayina, Adv.
 Mr. P.V. Yogeswaran, Adv.
 Mr. Surendra Kr. Maurya, Adv.

State of Sikkim for M/s Arputham, Aruna & Co.

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

State of Puducherry Mr. V.G. Pragasam, Adv.
 Mr. S.J. Aristotle, Adv.
 Mr. Prabu Ramasubramanian, Adv.

State of Manipur Mr. Khawairakpam Nobin Singh, Adv.

State of Assam Mr. Riku Sarma, Adv.
 Mr. Navnit Kumar, Adv.
 for M/s Corporate Law Group.

HC of Sikkim Mr. Vishnu Sharma, Adv.

...3/-

:3:

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

State of Orissa

Affidavit, dated 7th November, 2012, filed on behalf of the High Court of Orissa, shows satisfactory progress in the filling up of all the vacancies in the cadre of District Judge. However, insofar as the cadre of Civil Judge Senior Division is concerned, it is stated that there are likely to be 42 vacancies by the end of this year; out of which, 17 vacancies have already been filled up but the remaining 25 newly created vacancies can be filled up only after adequate infrastructure for new judgeships is provided by the State Government. On a query by the Court, learned counsel, appearing for the High Court, is not in a position to apprise us about the nature of infrastructure, the State is required to provide for smooth running of the newly created courts. Learned counsel appearing for the State is also not in a position to throw much light on

the subject.

...4/-

:4:

Under the circumstances, we are constrained to direct the Registrar General of the High Court and Secretary (Home), who is stated to be looking into the matter, to appear in this Court, in person, along with the relevant information with regard to the provision of infrastructure at the newly created judgeships. Both the said officers shall appear on 27th November, 2012 at 2.00 p.m.

As regards the vacancies in the cadre of Civil Judge Junior Division, it is stated that process of selection for filling up all the 55 vacant posts has been completed and appointment letters are likely to be issued in the first week of December, 2012.

To ensure compliance, a copy of this order shall be issued dasti to learned counsel for the High Court as also for the State.

List on 27th November, 2012 at 2.00 p.m.

...5/-

:5:

State of Jharkhand

As per the affidavit, dated 30th October, 2012, as on 29th October, 2012, there were 23 vacancies in the cadre of Civil Judge Junior Division. Learned counsel for the High Court as also for the State are not in a position to apprise us of the latest status of filling up of the said vacancies. They pray for some time to seek instructions in this behalf.

List on 27th November, 2012 at 2.00 p.m.

States of Jammu & Kashmir, Chhattisgarh and North Eastern States under the Guwahati High Court

List on 9th January, 2013 at 3.00 p.m.

| (VINOD LAKHINA)
| COURT MASTER

| | (KUSUM GULATI)
| | COURT MASTER

|