

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. for impleadment)

(Regarding State of Uttar Pradesh)

Date: 14/12/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN

HON'BLE MR. JUSTICE ANIL R. DAVE

For Appellant(s)

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

Ms. Sneha Kalita, Adv.

For Respondent(s)

Allahabad HC

Mr. Ashok K. Srivastava ,Adv

State of U.P.

Mr. Mukul Singh, Adv.

Mr. Shrish Kumar Misra ,Adv

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

Re: State of Uttar Pradesh

As per affidavit dated 8th December, 2011,
filed on behalf of the High court, the vacancy
position as also the steps taken to fill up the
vacancies in the subordinate judiciary has been
stated thus:

...2/-

:2:

1. Civil Judge (Junior Division):

Requisition for filling up of 76

vacancies, which are likely to occur as on 30th

June, 2012 has already been sent to the State for

appropriate direction to the U.P. Public Service

Commission to initiate process for filling up

these vacancies. We are confident that the Public Service Commission would take necessary steps for the said recruitments expeditiously.

2. Civil Judge (Senior Division):

The recommendations made by the Selection and Appointment Committee for promotion of 61 Civil Judges (Junior Division) to the cadre of Civil Judge (Senior Division) on 7th July, 2011, has been given effect to.

Learned counsel appearing for the High Court states that in all 64 appointments to the said cadre have already been made.

3. District Judge

There are 68 vacancies (27 current + 41 carried forward backlog) falling to the quota of direct recruits. It is stated that further steps to fill up the said vacancies could not be taken

...3/-

:3:

as the State Government vide Government Order ("G.O.") dated 31st March, 2011 had stopped recruitment in U.P. Higher Judicial Service till officers working in Fast Track Courts (156 numbers) were absorbed in the regular cadre as and when vacancies were to arise. Since the operation of the said G.O. has already been stayed by this Court vide order dated 19th October, 2011, we request the High Court to take necessary steps to fill up the said vacancies expeditiously. As against 27 vacancies falling to the quota of Limited Competitive Examination (accelerated promotion) only 3 vacancies could be filled up as 95 candidates who had appeared in

the examination could not secure the minimum qualifying marks.

However, we find that insofar as filling up of 54 vacancies falling to the share of promotees is concerned, there is no indication as to why the same are still lying vacant. We request the High Court to initiate the process to fill up these posts as well, as expeditiously as practicable.

List the case for further orders on 2nd February, 2012 at 3.00 p.m.

...4/-

:4:

I.A. NO.109 in C.A. NO. 1867 OF 2006

Taken on board.

In view of our order dated 19th October, 2011, this application is rendered infructuous and is dismissed accordingly.

I.A. NO. 115 in C.A. NO. 1867 of 2006

List the application when the case pertaining to the State of Bihar is listed.

(VINOD LAKHINA)
Court Master

(M.S. NEGI)
Court Master