

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(s). 1867 OF 2006

MALIK MAZHAR SULTAN AND ANR.

Appellant (s)

VERSUS

U.P. PUBLIC SERVICE COMMISSION & ORS Respondent(s)
(With appln(s) for directions and exemption from filing O.T. and
intervention and permission to file reply affidavit with office
report for directions)

Date: 08/10/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE H.L. DATTU

For Appellant(s)

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

Mr. Ejaz Maqbool, Adv.

Mr. Debasis Misra ,Adv

Mr. T.N. Rao ,Adv

For Respondent(s)

Mr. Lakshmi Raman Singh, Adv.

State of
Chhattisgarh

Mr. Atul Jha, Adv.
Mr. Dharmendra Kumar Sinha, Adv.

Intervener

Mr. Arvind Kr. Tiwari, Adv.
Mr. Harish Pandey, Adv.
Mr. Ranjan Dwivedi, Adv.

State of W.B.

Mr. Bhaskar P. Gupta, Sr. Adv.
Mr. Tara Chandra Sharma, Adv.
Ms. Neelam Sharma, Adv.

State of A.P.

Mr. G.N. Reddy, Adv.
Mr. V. Pattabhiram, Adv.

State of Arunachal
Pradesh

Mr. Anil Shrivastav, Adv.
Mr. Ritu Raj Biswas, Adv.

Mr. Nishe Rajen Shonker, Adv.
Mr. Amit Kumar, Adv.

Mr. Shankar Divate, Adv.

....2/-

:2:

State of Jharkhand

Mr. Anil Kr. Jha, Adv.

State of Goa

Ms. A.Subhashini ,Adv

Allahabad HC

Mr. Rakesh Dwivedi, Sr. Adv.
Mr. Ashok K. Srivastava ,Adv
Mr. Amit Sthalekar, Adv.
Mr. Vijai Shekhar Singh, Adv.

Mr. Shaiwal Srivastava, Adv.

Mr. Arun K. Sinha ,Adv

HC of P & H

Ms. Asha Jain Madan ,Adv
Mr. Mukesh Jain, Adv.
Ms. Chhaya Kumari, Adv.

Mr. Ashok Mathur ,Adv

Mr. Anis Suhrawardy ,Adv

Ms. Bina Gupta ,Adv

HC of J & K

Mr. Bharat Sangal ,Adv
Mr. Ajungla Thangna, Adv.

Ms. Binu Tamta ,Adv

Mr. Dharam Bir Raj Vohra ,Adv

Calcutta HC

Mr. Jaidip Gupta, Sr. Adv.
Mr. G.S. Chatterjee ,Adv
Mr. Raja Chatterjee, Adv.

UPSC

Mr. Brijender Chahar, Sr. Adv.
Ms. Rekha Pandey, Adv.
Mr. Mukesh Verma, Adv.
Mrs. Anil Katiyar, Adv.

State of Bihar/
Tripura

Mr. Gopal Singh ,Adv
Mr. Pratik Kumar, Adv.
Mr. Rituraj Biswas, Adv.

State of Nagaland

Mr. Edward Belho, Adv.
Mr. K. Enatoli Sema, Adv.
Mr. Rituraj Biswas, Adv.

Ms. Hemantika Wahi ,Adv

...3/-

:3:

HC of Orissa

Mr. Janaranjan Das ,Adv
Mr. Swetaketu Mishra, Adv.
Mr. P.P. Nayak, Adv.

Mr. K.K. Mohan ,Adv

Chandigarh

Ms. Kamini Jaiswal ,Adv
Mr. Abhimanue Shrestha, Adv.

Mr. Naresh K. Sharma ,Adv

Mr. Naresh Kumar, Adv.

Mr. Pradeep Misra ,Adv

State of Mizoram

Mr. K.N. Madhusoodhanan, Adv.
Mr. R. Sathish ,Adv
Mr. Pragyan P. Sharma, Adv.
Mr. P.V. Yogeswaran ,Adv

Mr. S.C. Patel ,Adv

Mr. Sunil Kumar Jain ,Adv

Kerala HC

Mr. V. Giri, Sr. Adv. va
Mr. T.G. Narayanan Nair ,Adv

State of Kerala

Mr. G. Prakash ,Adv
Mr. A. Senthil, Adv.

Mr. T.V. Ratnam ,Adv

Mr. Ugra Shankar Prasad ,Adv

State of Sikkim

M/S Arputham, Aruna & Co. ,Adv

UOI

Mr. R. K. Rathore, Adv.
Ms. Sunita Sharma, Adv.
Mr. A. Dev Kumar, Adv.
Mr. Aditya Sharma, Adv.
Mr. D.S. Mahra, Adv.
Mr. Ranjan Mukherjee ,Adv
Mr. S. Bhowmick, Adv.
Mr. S.C. Ghosh, Adv.

Ms. S. Janani ,Adv

State of T.N.

Mr. T. Harish Kumar, Adv.
Mr. P. Prasanth, Adv.
Mr. V. Vasudevan, Adv.

...4/-

:4:

State of Puducherry

Mr. R. Venkataramani, Sr. Adv.
Mr. V.G. Pragasam ,Adv
Mr. S.J. Aristotle, Adv.
Mr. Prabu Ramasubramanian, Adv.
Mr. L.A.J. Selvam, Adv.

Mr. Sapam Biswajit Meitei, Adv.
Mr. Ashok Kumar Singh ,Adv

Mrs.D. Bharathi Reddy ,Adv

Mr. Krishnanand Pandey ,Adv

State of M.P.

Mr. Saurabh Mishra, Adv.
Ms. V.D. Makhija, Adv.
Mr. B.S. Banthia ,Adv

State of Manipur

Mr. Khwairakpam Nobin Singh ,Adv

Mr. Radha Shyam Jena ,Adv

State of Karnataka

Mr. Sanjay R. Hegde ,Adv
Mr. Abhishek Malviya, Adv.

Mr. P.I. Jose ,Adv
Mr. B.K. Mishra, Adv.
Mr. Anupam Mishra, Adv.

Mr. Y. Raja Gopala Rao ,Adv

U.P.P.S.C.

Mr. Shail Kumar Dwivedi ,Adv
Ms. Vandana Mishra, Adv.

HC of Madras Mr. R. Nedumaran ,Adv
Mr. Vimal Dubey, Adv.
Mr. Lenin Sekar, Adv.

State of Haryana Mr. Manjit Singh, Adv.
Mr. Kamal Mohan Gupta ,Adv

Mr. V.N. Raghupathy ,Adv

State of H.P. Mr. Himinder Lal, Adv.
Mr. Rajni Ohri, Adv.

State of
Uttarakhand Mr. Abhay Prakash Sahay, Av.
Ms. Rachana Srivastava ,Adv

State of Assam Mr. Riku Sharma, Adv.
Mr. Navneet Kumar, Adv.
M/S Corporate Law Group ,Adv.

Mr. Ashwani Kumar ,Adv.

....5/-

:5:

Mr. Rajesh Srivastava ,Adv

Mr. C.D. Singh ,Adv
Mr. Sunny Chaudhary, Adv.
Mr. Shashank Shekhar Parihar, Adv.
Ms. Sakshi Kakkar, Adv.

Mr. Jatinder Kumar Bhatia ,Adv

State of U.P. Mr. P.S. Patwalia, Sr. Adv.
Mr. S.C. Mishra, Sr. Adv.
Mr. R.K. Gupta, Adv.
Mr. Rajiv Dubey, Adv.
Mr. Manoj Kumar Mishra, Adv.
Mr. Bharat Ram, Adv.
Mr. Kamendra Mishra ,Adv
Mr. Shrish Kumar Misra ,Adv
Mr. S.N. Pandey, Adv.

HC of Patna M/S. Parekh & Co. ,Adv

Mr. T. Mahipal ,Adv

Ms. Sumita Hazarika ,Adv

HC OF Bombay Mr. Aniruddha P. Mayee ,Adv
Mr. Charudatta Mahendrakar, Adv.
Ms. Rucha A. Mayee, Adv.

HC of Sikkim Mr. Siddhartha Chowdhury ,Adv
Mr. Vishnu Sharma ,Adv
Ms. Anupama Sharma, Adv.
Mr. Amarjyoti 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

State of Rajasthan Mr. Milind Kumar ,Adv

State of Punjab Mr. Ajay Pal ,Adv

.....6/-

:6:

State of Mah. Mr. Sanjay Kharde, Adv.
Mrs. Asha G. Nair, Adv.

Mr. V. Shekhar, Sr. Adv.
Mr. Yatish Mohan, Adv.
Ms. Vinita Y. Mohan, Adv.
Ms. Pooja, Adv.
Mr. E.C. Vidyasagar, Adv.

State of J & K Mr. Sunil Fernandes, Adv.
Mr. Vikrant Nagpal, Adv.
Mr. Sidhant Goel, Adv.
Mr. Renu Gupta, Adv.

DHC Mr. A.D.N. Rao, Adv.
Ms. Neelam Jain, Adv.

Applicants Mr. P.K. Jain, Adv.
Mr. Ashok Kr. Sharma, Adv.
Mr. Mukesh Kr. Jain, Adv.
Mr. S.P. Singh, Adv.

Mr. R. Venkataramani, Sr. Adv.
Mr. Santosh Kumar, Adv.
Mr. Mustaq Ahmed, Adv.

UPON hearing counsel the Court made the following

O R D E R

Re: State of Kerala

An affidavit has been filed by the Chief Secretary on behalf of the State, wherein the delay in filling up of six notified vacancies of District Judges (Direct) has been explained. In view of the fact that the matter is stated to be sub-judice, for the present, we defer orders.

Re: State of West Bengal

According to the affidavit filed by the Calcutta High Court dated 9th September, 2010, the process of filling up of 90 vacancies of District Judges, 73 vacancies of Civil Judges (Senior Division) and of Civil Judges (Junior Division) is at an advance stage and the vacancies are likely to be filled up as per the schedule fixed by this Court. In light of the said affidavit, for the present, no further orders are called for.

...7/-

:7:

I.A. 76 & 78 in Civil Appeal No. 1867 of 2006

Learned counsel appearing for the

applicants seek leave to withdraw the applications stating that the petitioner - Association would like to take recourse to some other appropriate remedy as may be available to them. Accordingly, the applications are dismissed as not pressed.

Re: State of Uttar Pradesh

List on 25th October, 2010.

(VINOD LAKHINA) (KUSUM GULATI)
Court Master Court Master