

SUPREME COURT OF INDIA
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. for clarification of Court's order dated 4.1.2007 and modification of order dt. 4.1.2007 and extension of time of schedule and exemption of time schedule/variation of order dt. 4.1.2007 and for permission for variation in the time schedule order dt. 4.1.2007 and exemption form filing O.T. and office report)

[FOR FURTHER DIRECTIONS]]

WITH

CIVIL APPEAL NO. 1868 OF 2006
(With office report)

CIVIL APPEAL NO. 1869 OF 2006
(With office report)

CIVIL APPEAL NO. 1870 OF 2006
(With office report)

CIVIL APPEAL NO. 1871 OF 2006
(With office report)

CIVIL APPEAL NO. 1872 OF 2006
(With office report)

Date: 03/03/2008 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER
HON'BLE MR. JUSTICE D.K.JAIN

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

For Appellant(s) Mr. Ezaj Maqbool, Adv.

For Respondent(s) Mr. Lakshmi Raman Singh, Adv.
Mr. Dharmendra Kumar Sinha, Adv.

..2/-

C.A. 1867/2006Contd...(It. 67, Ct.9, Dt. 3/3/2008)

:2:

For intervenor Mr. Arvind Kr. Tiwary, Adv.
Mr. Radhe Shyam Sharma, Adv.
Mr. Ranjan Dwivedi, Adv.

Mr. K.K. Mohan, Adv.

Mr. Prakash Kumar Singh, Adv.

M.P. High Court Mr. C.D. Singh, Adv.
Mr. Merusagar Samantaray, Adv.
Mr. Sunny Chodhary, Adv.

Mr. Kamlendra Mishra, Adv.

Mr. S Biswajit Meitei, Adv.
Mr. Vijay Prakash, Adv.

For Delhi H Court Mr. A Mariarputham, Adv.
Mrs. Aruna Mathur, Adv.
For M/s Arputham Aruna & Co., Adv.

For Sikkim Mr. A Mariarputham, Adv.
Mrs. Aruna Mathur, Adv.
For M/s Arputham Aruna & Co., Adv.

For Sikkim H Court Mr. Vishnu Sharma, Adv.
Mr. Anupama Sharma, Adv.

For Maharashtra Mr. S.S. Shinde, Adv.
Mrs. Asha G Nair, Adv.

For M.P. Mr. Vikrant Singh Bais, Adv.
Mr. B.S. Banthia, Adv.

For Chhattisgarh Ms. Suparna Srivastava, Adv.
Ms. Neeraj Gupta, Adv.
Mr. Rajesh Srivastava, Adv.

Mr. Jatinder Jumar Bhatia, Adv.
Mr. B.N. Jha, Adv.

..4/-

C.A. 1867/2006Contd...(It. 67, Ct.9, Dt. 3/3/2008)

:4:

For Nagaland Mr. U Hazarika, Adv.
Mr. Satya Mitra, Adv.
Ms. Sumita Hazarika, Adv.

For Haryana Mr. Manjit Singh, Add. Adv. Gen.
Mr. Harikesh Singh, Adv.
Mr. T.V. George, Adv.
Mr. Iftikhar Ahmad, Adv.

For Goa Ms. A Subhashini, Adv.

For Mizoram Mr. K.N. Madhusoodhanan, Adv.
Mr. R Sathish, Adv.

For Tamil Nadu/
U.T.(Pondicherry) Mr. V.G. Pragasam, Adv.
Mr. S.J. Aristotle, Adv.
Mr. Prabu Rama Subramanian, Adv.

Calcutta High Court Mr. G.S. Chatterjee, Adv.
Mr. Raja Chatterjee, Adv.
Ms. E Muhury, Adv.

For Chandigarh Mr. Nidhesh Gupta, Adv.
High Court Mr. Tarun Gupta, Adv.
Ms. S Janani, Adv.

For Patna High Mr. Sameer Parekh, Adv.
Court Mr. Ajay Kumar Jha, Adv.
Ms. Diksha Rai, Adv.
for M/s P.H. Parekh & Co., Adv.

for Rajasthan Mr. Sunil Kuamr Jain, Adv.
Mr. S. Borthakur, Adv.

For NCT Delhi Mr. K.P. Pathak, ASG.
Mr. Wasim A Qadri, Adv.
Mr. J. Ahmed Khan, Adv.

Mr. D.S. Mahra, Adv.

Ms. Kamini Jaiswal, Adv.
Mr. Saurav Datta, Adv.

Mr. Ejaz Maqbool, Adv.

For Assam

for

Mr. Riku Sarma, Adv.
M/s Corporate Law Group, Adv.

For Kerala

Mr. G Prakash, Adv.
Ms. Beena Prakash, Adv.

..5/-

C.A. 1867/2006Contd...(It. 67, Ct.9, Dt. 3/3/2008)

:5:

For Punjab

Mr. K.K. Mahalik, Adv.
Mr. Kuldip Singh, Adv.

For UPPSC

Mr. Shail Kumar Dwivedi, AAG.
Ms. Vandna Mishra, Adv.
Mrs. Vibha Dwivedi, Adv.

For Uttar Pradesh

Dr. R.G. Padia, Sr. Adv.
Mr. Pradeep Misra, Adv.

Mr. T Mahipal, Adv.

For Chhattisgarh

Mr. Atul Jha, Adv.
Mr. D.K. Sinha, Adv.

For Jharkhand

Mr. B.B. Singh, Adv.
Mr. Rajesh Patnak, Adv.

For Meghalaya

Mr. Ranjan Mukherjee, Adv.
Mr. S.C. Ghosh, Adv.

For J & K

Mr. Altag H Naiyak, Adv. Gen
Mr. Anis Suharawardy, Adv.

For Gujarat

Ms. Hemantika Wahi, Adv.
Ms. Jesal Wahi, Adv.
Ms. Pinky Behra, Adv.
Ms. Sangeeta Singh, Adv.

Mr. Y Rajagopala Rao, Adv.
Mr. Y Ramesh, Adv.
Mr. Y Vismai, Adv.

UPON hearing counsel the Court made the following
ORDER

I.A. No. 22 :

As per the office report, the service is not complete. List
the application after service is complete.

I.A. NO. 27 :

Heard learned counsel for the parties.
I.A. No. 27 is dismissed.

..6/-

:6:

I.A. No. 28 :

Heard learned counsel for the parties.
Prayer granted. I.A. 28 is disposed of.

I.A. No. 29 :

Heard learned counsel for the parties.
I.A. No. 29 is dismissed.

I.A. No. 30 :

Prayer 'A' is granted. The time for the current year is extended upto June 30, 2008. I.A. No. 30 is disposed of.

I.A. No. 31 :

Heard learned counsel for the parties.
Prayer granted so far as 'paragraph 7' is concerned. I.A. No. 31 is disposed of.

I.A. No. 32 :

Prayer in terms of prayer Clause 'A' is granted. I.A No. 32 is disposed of.

In the main matter, pursuant to order dated January 4, 2007, some of the High Courts have sent necessary reports. The High Courts which have not sent such reports will sent the same within eight weeks. List thereafter.

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1867 OF 2006

Malik Mazhar Sultan and Anr.

.. Appellant(s)

Versus

UP Public Service Commission & Ors.

.. Respondent(s)

ORDER

I.A. NO. 27 :

Heard learned counsel for the parties.
I.A. No. 27 is dismissed.

I.A. No. 28 :

Heard learned counsel for the parties.
Prayer granted. I.A. 28 is disposed of.

I.A. No. 29 :

Heard learned counsel for the parties.
I.A. No. 29 is dismissed.

I.A. No. 30 :

Prayer 'A' is granted. The time for the current year is extended upto June 30, 2008. I.A. No. 30 is disposed of.

I.A. No. 31 :

Heard learned counsel for the parties.

Prayer clause in this application reads as under :

"It is most respectfully prayed that Your Lordships may graciously be pleased to grant permission to the State of West Bengal to change the time schedule as stated in

..2/-

:2:

paragraph 5 above in column 4, which are required to be followed for appointment to the post of Civil Judge (Junior Division) Entry Level by direct recruitment for the year 2007; and/or pass any other or further order which Your Lordships may deem fit and proper in the interest of justice."

Learned counsel for the applicant states that what was stated was with regard to the change of the time schedule but due to mistake 'Paragraph 5' is referred to but in fact the actual paragraph is 'paragraph 7' which reads thus:

"7. That it is in the interest of justice that the Time Schedule for the following purpose may be allowed as noted against each in column No. 4:

Sl.No.	Description	Date approved by Seeking	permission to this Hon'ble Court revise time schedule for 2007 vide order dated
11.	Declaration of final select list and communication to 2007 the appointing authority a) Result may be put on the website and also published in the newspaper. b) Select list be published in order of merit and should be double the number of vacancies notified.	31st December,	31st March, 2008.
12.	Issue of appointment of letter by the competent authority for all existing vacant posts as on date	31st January, 2008	30th April, 2008.
13.	Last date of joining	Latest by 15th February, 2008.	Latest by 15th May, 2008.

..3/-

:3:

Prayer granted so far as 'paragraph 7' is concerned.
I.A. No. 31 is disposed of.

I.A. No. 32 :

Prayer in terms of prayer Clause 'A' is granted.
disposed of.

I.A No. 32 is

.....J
[C.K. THAKKER]

[D.K. JAIN]
.....J

NEW DELHI,
MARCH 3, 2008.