

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 clarification of court's order dated 03/04/2006)

[For Directions]

With Civil Appeal No.1868 of 2006

[For Directions]

Civil Appeal No.1869 of 2006

[For Directions]

Civil Appeal No.1870 of 2006

[For Directions]

Civil Appeal No.1871 of 2006

[For Directions]

Civil Appeal No.1872 of 2006

[For Directions]

Date: 04/09/2006 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.K. THAKKER

For Appellant(s)

In CA 1867/2006: Mr. Ejaz Maqbool,Adv.
Mr. Vikash Singh,Ad.
Ms. Taruna Singh,Adv.
Mr. Abhijeet Sinha,Adv.

In CA 1872/2006: Mr. Shail Kumar Dwivedi,Adv.
Mr. G.V. Rao,Adv.

In CA 1868-71/2006: Mr. C.D. Singh,Adv.
Dr. Indra Pratap Singh,Adv.
Mr. Merusagar Samantaray,Adv.
Ms. Minakshi Sarma,Adv.

For Respondent(s) Mr. Lakshmi Raman Singh,Adv.
Mr. Debasis Misra,Adv.

Mr. Dharmendra Kumar Sinha,Adv.

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Mr. Ranjan Dwivedi,Adv.

For Allahabad High Court: Mr. Ashok K. Srivastava,Adv.
Mr. Saurabh Trivedi,Adv.
Mr. K.K. Mohan,Adv.

For M.P. High Court: Mr. C.D. Singh,Adv.
Dr. Indra Pratap Singh,Adv.
Ms. Minakshi Sarma,Adv.
Mr. Merusagar Samantaray,Adv.

For Uttar Pradesh: Dr. R.G. Padia,Sr.Adv.
Mr. Pradeep Misra,Adv.
Mr. T. Mahipal,Adv.
Mr. Kamlendra Mishra,Adv.

Mr. Prakash Kumar Singh,Adv.

Mr. S. Chandra Shekhar,Adv.

For Orissa:

Mr. Janaranjan Das,Adv.

Mr. Swetaketu Mishra,Adv.

For Bombay High Court:

Mr. Aniruddha P. Mayee,Adv.

Mr. Sanjeev Kumar Choudhary,Adv.

Mr. Sanjay Visen,Adv.

Mr. Amit Yadav,Adv.

For Gujarat:

Ms. Hemantika Wahi,Adv.

For Tripura:

Mr. Gopal Singh,Adv.

Mr. Rituraj Biswas,Adv.

For Bihar:

Mr. Gopal Singh,Adv.

Mr. Nishakant Pandey,Adv.

For West Bengal:

Mr. Tara Chandra Sharma,Adv.

Ms. Neelam Sharma,Adv.

For Himachal Pradesh:

Mr. J.S. Attri,AAG.

Ms. Shivani Thakur,Adv.

For Arunachal Pradesh:

Mr. Anil Shrivastav,Adv.

For Assam:

Mr. Riku Sarma,Adv.

for M/s. Corporate Law Group,Adv.

For Tamil Nadu and

Mr. V.G. Pragasam,Adv.

Pondicherry:

Mr. S. Vallinayagam,Adv.

Mr. P.I. Jose,Adv.

Mr. A. Radhakrishnan,Adv.

Mr. Anupam Mishra,Adv.

Mr. Jenis,Adv.

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

For Goa: Ms. A. Subhashini, Adv.

For Manipur: Mr. Kh. Nobin Singh, Adv.
Mr. Prashant Chaudhary, Adv.

For Chhattisgarh: Mr. Rajesh Srivastava, Adv.
Ms. Suparna Srivastava, Adv.
Ms. Pooja Matlani, Adv.

For Punjab: Mr. Arun Kumar Sinha, Adv.
Mr. Rakesh Singh, Adv.
Mr. Mukesh Kumar Sinha, Adv.

For Rajasthan: Mr. Aruneshwar Gupta, AAG.
Mr. Naveen Kumar Singh, Adv.
Mr. Mukul Sood, Adv.
Mr. Shashwat Gupta, Adv.
Ms. Shikha Tandon, Adv.
Mr. J.K. Bhatia, Adv.
Mr. R.S. Jena, Adv.
Mr. Siddharth Panda, Adv.

For Sikkim: Mr. A. Mariarputham, Adv.
Ms. Aruna Mathur, Adv.
for Arputham, Aruna & Co., Adv.

For Meghalaya: Mr. Ranjan Mukherjee, Adv.

For Uttaranchal: Ms. Rachana Srivastava, Adv.

For Karnataka: Mr. Sanjay R. Hegde, Adv.

For Kerala: Mr. G. Prakash, Adv.

For Nagaland: Mr. U. Hazarika, Adv.

Mr. Satya Mitra,Adv.

Ms. Sumita Hazarika,Adv.

UPON hearing counsel the Court made the following

O R D E R

Twelve High Courts and four States have filed requisite reports/affidavits. Directions to the High Courts/State Governments to file their response regarding the filling up of the vacancies are contained in the judgement of this Court dated 3rd April, 2006, holding that it was necessary to evolve a

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mechanism to speedily determine and fill vacancies of judges at all levels and for taking of timely steps. By the said judgement, the State Governments, the Union Territories and the High Courts were granted three months' time to file the details of the time schedule fixed and the date from which the same would be operational. Instead of three months, more than five months have elapsed now. Many of the State Governments and the High Courts have still not filed the details required to be filed in terms of the judgement dated 3rd April, 2006.

The learned counsel appearing for some of the High Courts and the State Governments pray for further time. We grant final opportunity

for filing of the details in terms of the judgement dated 3rd April, 2006,

within a period of three weeks. All are directed to file details within the

time now granted.

The matters are adjourned for four weeks.

A copy of this order be sent to the Registrar Generals of the High Courts, Chief Secretaries of the State Governments and the Administrators of the Union Territories which have not filed the details in terms of the judgement dated 3rd April, 2006.

[T.I. Rajput]

A.R.-cum-P.S.

[V.P. Tyagi]

Assistant Registrar