

SECTION XI
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Listed On : 06.07.2015
Court No. : 5
Item No. : 301

CIVIL APPEAL NO. 4347-4375 OF 2014 AND 4376 OF 2014.

WITH

INTERLOCUTORY APPLICATION NO. 61 IN C.A NO. 4375 OF 2014

(Application for Impleadment filed by Dr. Monika Gusain, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 150-178 IN C.A NO. 4347-75 OF 2014

(Application for permission to file an I.A for Impleadment filed on 08.07.2014
by Mr. Rajeev Ranjan Dwivedi, Advocate)

AND

INTERLOCUTORY APPLICATION NO. IN C.A NO. 4347-75 OF 2014

(For Impleadment filed on 08.07.2014 by Mr. Rajeev Ranjan Dwivedi, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 185 IN C.A NO. 4347-75 OF 2014

(Application for intervention filed by on 28.11.2014 by Mr. Vipin Kumar Jai, Advocate in
C.A No. 4347-75 of 2014)

AND

INTERLOCUTORY APPLICATION NO. 186-214 IN C.A NO. 4347-75 OF 2014

(Application for intervention filed by on 02.12.2014 by Mr. Gaurav Agrawal, Advocate in
C.A No. 4347-75 of 2014)

AND

INTERLOCUTORY APPLICATION NO. 216 IN CA No. 4347 of 2014

(Application for impleadment filed by Mr. Varindra Kumar Sharma, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 217 IN CA No. 4347 of 2014

(Application for impleadment filed by Mr. Jinendra Jain, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 218 IN CA No. 4347 of 2014

(Application for impleadment filed by Ms. Rachna Srivastava, Advocate)

AND

**INTERLOCUTORY APPLICATION NO. 219-247 AND 248-276 IN CA No. 4347-75 of
2014**

(Application for impleadment filed by Ms. Abha R. Sharma, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 277 IN CA No. 4347 of 2014

(Application for impleadment filed by Mr. Sudhanshu Palo, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 278 IN CA No. 4347 of 2014

(Application for impleadment filed by Mr. Vivek Singh, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 279 IN CA No. 4347 of 2014

(Application for intervention filed by Mr. Vikrant Singh Bais, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 280 IN CA No. 4347 of 2014

(Application for intervention filed by Mr. Deepak Goel, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 281 IN CA No. 4347 of 2014

(Application for impleadment filed by Ms. Meenakshi Vij, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 284 IN CA No. 4347 of 2014

Application for intervention filed by Mr. G. P. Srivastava, Advocate

AND

INTERLOCUTORY APPLICATION NO. 285 & 286 IN CA No. 4347-75 of 2014

(Application for intervention & modification of order dated 17.12.2014 filed on 26.02.2015 by Mr. Sanjay Kumar Tyagi, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 287 IN INTERLOCUTORY APPLICATION NO. 218 IN CA No. 4347 of 2014

(Application for direction filed on 10.04.2015 by Ms. Rachna Srivastava, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 288 & 289 IN CA No. 4347-75 of 2014

(Application for impleadment & directions filed on 16.04.2015 by Ms. Asha R. Sharma, Advocate on behalf of Rakhi Chaturvedi & Ors., Applicants)

AND

INTERLOCUTORY APPLICATION NO. 290 & 291 IN CA Nos. 4347-75 of 2014

(Application for impleadment & directions filed on 16.04.2015 by Ms. Abha R. Sharma, Advocate on behalf of Kanchan Tripathy & Ors., Applicants)

AND

INTERLOCUTORY APPLICATION NO. 292 IN CA No. 4347 of 2014

(Application for intervention filed on behalf of Mr. Rahul Pandey, Applicant by Mr. S.K. Tripathi, Advocate)

WITH

INTERLOCUTORY APPLICATION NO. 293 IN CA No. 4347 of 2014

(Application for impleadment as respondent in CA 4347 of 2014 filed by Dr. Kailash Chand, Advocate on 30.06.2015 on behalf of Sh. Dhaval Singh & 15 others, applicants)

WITH

INTERLOCUTORY APPLICATION NO. 294 IN CA No. 4357 of 2014

(Application for directions in CA 4357 of 2014 filed Ms. K. Sarada Devi, Advocate on 30.06.2015)

WITH

INTERLOCUTORY APPLICATION NO. 295 IN CA No. 4347 of 2014

(Application for impleadment as respondent in CA 4347 of 2014 filed by Mr. Satyajeet Kumar, Advocate on 02.07.2015 on behalf of Mr. Shiv Baboo & 78 others, applicants)

WITH

INTERLOCUTORY APPLICATION NO. IN CA No. 4347 of 2014

(Application for directions in CA 4347 of 2014 filed Mr. Satyajeet Kumar, Advocate on 02.07.2015 on behalf of Mr. Shiv Baboo & 78 others, applicants)

WITH

CONTEMPT PETITION NO. 199 OF 2015 IN C.A. NOS. 4347-75 OF 2014

AND

CONTEMPT PETITION NO. 399 OF 2015 IN C.A. NOS. 4347 OF 2014

AND

INTERLOCUTORY APPLICATION NOS. 82 & 83 IN C.A. NO. 4376 OF 2014

(Application for directions and exemption from filing official translation filed on 10.04.2015 by Mr. Garvesh Kabra, Advocate for the appellants)

WITH
SPECIAL LEAVE PETITION NO. 14386 OF 2015

STATE OF U.P. & ORS. ETC.

...APPELLANTS

VERSUS

SHIV KUMAR PATHAK & ORS. ETC

...RESPONDENTS

OFFICE REPORT

The appeal above mentioned were listed before the Hon'ble Court on 05.05.2015, when the Court was pleased to pass the following order:

“It is submitted by Mr. Venkataramani, learned senior counsel appearing for the State of U.P. that in pursuance of the order passed by this Court, as of today, 54464 posts have been filled up. Elaborating the said submission, it is put forth by Mr. Venkataramani that the said number of candidates have joined the posts. Be that as it may, as has been stated on earlier occasion, the said appointments are subject to result of the special leave petition and no right shall accrue in favour of the appointees. The Court shall work out the equities at the time of final disposal of the case.

At this juncture, Ms. A. Sharda Devi, learned counsel appearing for some of the respondents in Civil Appeal No.4349 of 2014, submitted that number of candidates who have not passed the TET examination have been appointed. If the allegation is correct, it is an extremely serious matter. Liberty is granted to the learned counsel to file an affidavit within a week hence. Learned counsel for the State shall verify the same and if it is found that some candidates have been appointed who do not meet the criteria fixed by us, their services shall be terminated forthwith. The list of candidates who have been appointed by the State shall be put in the website within three weeks with all 5 relevant particulars. Needless to say, the State shall file the counter affidavit where it is arrayed as a respondent and also file the requisite affidavit in terms of the order passed by this Court on 25.02.2015.

Let the matter be listed for hearing at 2.00 p.m. on 6.07.2015 and if the hearing is not concluded on that day, it shall be listed for further hearing at 2.00 p.m. on 13.07.2015. Learned counsel for the parties are to come ready, for no adjournment shall be granted on any count. ”

It is submitted that Mr. K. Sarada Devi, Advocate for Respondent No. 1 in Civil Appeal 4349/2014 has on 07.05.2015 filed an affidavit of Respondent No. 1

It is further submitted that Mr. Santosh Kumar Tripathy, Advocate has on

16.04.2015 filed application for intervention in Civil Appeal No. 4347/2014 on behalf of Mr. Rahul Pandey, Applicant. The same has been registered as I.A. No. 292.

It is further submitted that Mr. Asha Gopalan Nair, Advocate has on 06.05.2015 filed a Contempt Petition in CA No. 4347/2014 on behalf of Mr. Sudeep Kumar Goswami and 7 other applicants. The same has been registered as Contempt petition No. 399 of 2015 and is circulated herewith.

It is further submitted that Dr. Kailash Chand, Advocate has on 30.06.2015 filed an Application for Impleadment as Respondent in CA No. 4347/2014 on behalf of Sh. Dhaval Singh & 15 others, applicants. The same has been registered as Interlocutory Application No. 293 and is circulated herewith.

It is further submitted that Ms. K. Sarada Devi, Advocate has on 30.06.2015 filed an Application for Directions in CA No. 4357/2014. The same has been registered as Interlocutory Application No. 294 and is circulated herewith.

It is further submitted that Mr. Satyajeet Kumar, Advocate has on 02.07.2015 filed an Application for Impleadment as Respondent in CA No. 4347/2014 on behalf of Mr. Shiv Baboo & 78 others, applicants. The same has been registered as Interlocutory Application No. 295 and is circulated herewith.

It is further submitted that Mr. Satyajeet Kumar, Advocate has on 02.07.2015 filed an Application for Direction in CA No. 4347/2014 on behalf of Mr. Shiv Baboo & 78 others, applicants. The same is circulated unregistered.

SLP No. 14386 of 2015

The matter above mentioned was listed before the Hon'ble Court on 15.05.2015 with an office report dated 09.04.2015, when the Court was pleased to pass the following Order:

“Issue notice returnable within four weeks.
Dasti in addition is permitted.
Tag with Civil Appeal no. 4347-4375 of 2014.”

Accordingly, show cause notice was issued to all the five respondents on 02.06.2015 through registered A.D. post as well as Dasti in addition also issued to the Counsel for the Petitioner for effecting service on Respondents. Neither A.D. Cards nor unserved cover containing notice has been received back from the respondents. Counsel for the Petitioner has not filed the affidavit of Dasti Notice with Proof thereof so far.

Service of show cause notice is not complete on Respondents so far.

The matters above mentioned alongwith applications and Contempt Petitions are listed before the Hon'ble Court with this Office Report.

Dated this the 4th day of July, 2015.

ASSISTANT REGISTRAR

Copy to:

Mr. Satya Mitra Garg, Advocate
Mr. Amit Pawan, Advocate
Mrs. Abha R. Sharma, Advocate
Mr. Vishwa Pal Singh, Advocate
Mr. Y. P. Dhingra, Advocate
Mr. Rohit Singh, Advocate
Mr. R.P. Goyal, Advocate
Mr. M.P. Jha, Advocate
Ms. K. Sarda Devi, Advocate
Mr. Vivek Singh, Advocate
Mr. Manu Shankar Mishra, Advocate
Mr. Alok Gupta, Advocate
Dr. Monika Gosain, Advocate
Mr. Rajeev Ranjan Dwivedi, Advocate
Mr. Gaurav Agarwal, Advocate
Mr. Vipin Kumar Jai, Advocate
Mr. Vikrant Singh Bais, Advocate
Ms. Meenakshi Vij, Advocate
Mr. Anupam Misra, Advocate
Mr. Deepak Goel, Advocate
Mr. Sudhanshu Palo, Advocate
Ms. Rachna Srivastava, Advocate
Mr. Varindra Kumar Sharma, Advocate
Mr. Jinendra Jain, Advocate
Mr. Garvesh Kabra, Advocate
Mr. Vikram Singh Bais, Advocate

ASSISTANT REGISTRAR