

ITEM NO.102

COURT NO.7

SECTION XVI

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). 2795-2797/2017

CHANDRA GUPTA KUMAR AND ORS. ETC. ETC.

Appellant(s)

VERSUS

STATE OF BIHAR AND ORS. ETC. ETC.

Respondent(s)

(with appln. (s) for permission to place addl. documents on record and permission to file lengthy list of dates and vacation of ex-parte stay and intervention and impleadment as petitioner and impleadment as party respondent and directions and correction of typographical error and interim relief and office report)

WITH

C.A. No. 2798-2800/2017

(With application for Transposition and application for Interim Relief and Office Report)

C.A. No. 2801-2803/2017

(With Office Report)

C.A. No. 2804/2017

(With WITH Office Report)

CONMT.PET.(C) No. 367-369/2016 In C.A. No. 2795-2797/2017

(With Office Report)

C.A. No. 2805/2017

(With Office Report)

C.A. No. 2806-2810/2017

(With Office Report)

C.A. No. 2811/2017

(With Office Report)

Date : 20/04/2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH

HON'BLE MRS. JUSTICE R. BANUMATHI

Counsel for the

parties:

Mr. Ravinder Srivastava, Sr.Adv.
Mr. M.K. Choudhary, Adv.
Mr. Avinash, Adv.
Ms. Namita Choudhary, Adv.

Mr. Ajit Kumar Sinha, Sr.Adv.
Mr. Anurag Pandey, Adv.

Sr. S.R. Singh, Sr.Adv.
Mr. Kumar Ranjan, Adv.
Mr. Kaushik Poddar, Adv.

Mr. S.B. Upadhyay, Sr.Adv.
Mr. Dhruv Kumar Jha, Adv.
Mr. Kiran Kumar Jaipurian, Adv.

Mr. Dinesh Dwivedi, Sr.Adv.
Mr. Gopal Singh, Adv.
Mr. Shivam Singh, Adv.
Mr. Advitiya Awasthi, Adv.

Mr. Chaklrapani, Adv.
Mr. Anurag Singh, Adv.
Mr. Anil Kumar Mishra, Adv.

Ms. Reena Pandey, Adv.

Mr. Arun K. Sinha, Adv.
Mr. Rakesh Singh, Adv.

Mr. Mohit Kumar Gupta, Adv.
Ms. Surbhi Sanchita, Adv.
Ms. Manju Sharma Jetley, Adv.

Mr. Durga Dutt, Adv.
Mr. U.N. Mishra, Adv.
Mr. Pradeep Yadav, Adv.
Mr. Himanshu Munshi, Adv.

Ms. Pragya Baghel, Adv.

Mr. Chandra Prakash, Adv.
Mr. Shailendra Kumar, Adv.

Mr. Amit Pawan, Adv.
Mr. Anand Nandan, Adv.
Mr. Abhishek Amritanshu, Adv.
Mr. Akshat Shrivastav, Adv.

Mr. Gaurav Singh, Adv.
Mr. Hassan Zubair Waris, Adv.

Mr. Bipin Bihari Singh, Adv.

Mr. Dushyant Parashar, Adv.

Mr. Gyan Prakash Srivastava, Adv.

Mr. Kaushik Poddar, Adv.
Ms. Lakshmi Raman Singh, Adv.
Mr. S.K. Verma, Adv.

Mr. Subhro Sanyal, Adv.

Ms. Reena Pandey, Adv.

Mr. Ranjeet Kumar Jha, Adv.
Mr. Shreepal Singh, Adv.

Mr. Anand Nandan, Adv.

Mr. Rakesh Singh, Adv.
Mr. Shrey Sinha, Adv.
Mr. Rakesh Singh, Adv.

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

In pursuant to the order of this Court the affidavit has been filed before this Court and by the order dated 28.11.2011 passed by this Court it has been clarified that there are 223 candidates eligible for appointment against the 299 posts referred to in the order dated 02.02.2011 since they are all similarly situated. However, it is brought to the notice of this Court that in between there was appointment of 67 candidates belonging to Most Backward Classes and pursuant to orders passed by this Court on 12.10.2012 in order to maintain those 67 candidates,

roster point had to be adjusted and accordingly another 184 candidates were proposed to be appointed. These are also under challenge in the writ petitions.

Be that as it may, without prejudices to the contention available to all the parties, for the time being we direct the State and the Commission to proceed with selection in respect of 299 posts by limiting the field of selection to 2730-251 i.e. 2479 candidates. We also make it clear that if any similarly situated person has inadvertently been left out it will be open to such person to point out the same to the Competent Authority and his case will also be examined by the Authority. The selection process as above shall be completed within a period of three months from today and the report to that effect shall be filed before this Court within such time.

Post on 1st August, 2017.

In all other respects, status-quo operating as on today shall continue till then.

(USHA BHARDWAJ)
AR-CUM-PS

(RENU DIWAN)
ASSISTANT REGISTRAR