

ITEM NO.23

COURT NO.1

SECTION III-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No. 1867/2006

MALIK MAZHAR SULTAN & ANR.

Appellant(s)

VERSUS

U.P. PUBLIC SERVICE COMMISSION  
THROUGH ITS SECRETARY & ORS.

Respondent(s)

(Name of Amicus Curiae i.e.)

Date : 04-02-2025 This appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE SANJAY KUMAR  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

*Amici Curiae*

Mr Vijay Hansaria, Sr. Adv.  
Mr. Shyam Divan, Sr. Adv.  
Mr. Gaurav Agrawal, Sr. Adv.

For Appellant(s) :

Mr. Ejaz Maqbool, AOR

For Respondent(s) :

Mr. Lakshmi Raman Singh, AOR

Mr. Siddharth, AOR

Mr. D.K. Thakur, Adv.  
Mr. Rajeev Kumar Gupta, Adv.  
Mr. Tavleen Singh, Adv.  
Mr. Joginder Mann, Adv.  
Ms. Vallabhi Shukla, Adv.  
Mr. Nishant Anand, Adv.  
Mr. Bimlesh Kumar Singh, AOR

Mr. Amit Gupta, AOR  
Ms. Muskan Nagpal, Adv.  
Mr. Kshitij Vaibhav, Adv.

Mr. Suwendu Suvasis Dash, AOR

Ms. A. Subhashini, AOR

Mr. Kamal Mohan Gupta, AOR

Mr. Ashok Mathur, AOR

Mr. Vipin Nair, AOR

Mr. G.N. Reddy, AOR

Mr. Ahanthem Henry, Adv.

Mr. Ahanthem Rohen Singh, Adv.

Mr. Mohan Singh, Adv.

Mr. Aniket Rajput, Adv.

Ms. Khoisnam Nirmala Devi, Adv.

Mr. Kumar Mihir, AOR

Mrs. Mrinal Elker Mazumdar, Adv.

Mr. Mukesh K. Verma, Adv.

Mrs. Kanu Agrawal, Adv.

Mr. Varun Chugh, Adv.

Mr. Krishna Kant Dubey, Adv.

Mr. Piyush Beriwal, Adv.

Mr. Vinayak Sharma, Adv.

Ms. Priyadarshini Priya, Adv.

Mr. Rajesh Singh Chauhan, Adv.

Mr. Harish Pandey, Adv.

Mr. Shashwat Parihar, Adv.

Mr. Shreekant Neelappa Terdal, AOR

Mr. Sunil Kumar Verma, AOR

Ms. Binu Tamta, AOR

Mr. Radha Shyam Jena, AOR

Mr. Anil K. Jha, AOR

Mr. Sahil Tagotra, AOR

Mr. Sujay Jain, Adv.

Mr. Gaurav Agrawal, AOR

Mr. Sandeep Sudhakar Deshmukh, AOR

Mr. Nishant Sharma, Adv.

Mr. Ankur S. Savadikar, Adv.

Mr. Viraj M. Parakh, Adv.

Mr. Raghavendra S. Srivatsa, Sr. Adv.

Mr. Pai Amit, AOR

Ms. Pankhuri Bhardwaj, Adv.

Mr. Kushal Dube, Adv.

Mr. Tathagata Dutta, Adv.

Mr. Ashok Kumar Singh, AOR

Mrs. Pragya Singh, Adv.

Mr. Akshay Singh, Adv.

Mr. P.N. Yadav, Adv.

Mr. Rahul Dubey, Adv.

Mr. Sunny Singh, Adv.

Ms. G. Indira, AOR

Mr. Prakash Kumar Singh, AOR

Ms. Pooja Singh, Adv.

Ms. Purnima Jauhari, Adv.

Mr. Brij Bhushan Jauhari, Adv.

Ms. Deepanwita Priyanka, AOR

Mr. Maibam Nabaghanashyam Singh, AOR

Dr. Abhishek Atrey, AOR

Ms. Ishita Bist, Adv.

Ms. Ambika Atrey, Adv.

Ms. Jyoti Verma, Adv.

Mr. Navneet Gupta, Adv.

Mr. Rajeev Kumar Dubey, Adv.

Mr. Kamendra Mishra, AOR

Mr. Y. Raja Gopala Rao, AOR

Mr. Jatinder Kumar Bhatia, AOR

Mr. Vijay Hansaria, Sr. Adv.

Ms. Sneha Kalita, AOR

Ms. Kavya Jhwar, Adv.

Ms. Nandini Rai, Adv.

Mr. Sumeer Sodhi, AOR

Mr. Parth Awasthi, Adv.

Mr. Pashupathi Nath Razdan, AOR

Ms. Nupur Kumar, AOR

Mr. R. Sathish, AOR

Ms. Asha Jain Madan, AOR

Mr. Pradeep Misra, AOR

Mr. Parijat Sinha, AOR

Ms. Astha Sharma, AOR

Mr. Shrirang B. Varma, Adv.

Mr. Aaditya Aniruddha Pande, AOR

Mr. Siddharth Dharmadhikari, Adv.

Mr. Jagjit Singh Chhabra, AOR

Mr. Ajay Pal, AOR

Ms. Hemantika Wahi, AOR

Ms. Preetika Dwivedi, AOR

Mr. Abhisek Mohanty, Adv.

Mr. Nishe Rajen Shonker, AOR

Mr. Santosh Krishnan, AOR

Ms. Devina Sehgal, AOR

Mr. Yatharth Kansal, Adv.

Mr. K.K. Mohan, AOR

Mr. T.V. George, AOR

Mr. Abhijit Sengupta, AOR

Mr. Vishnu Sharma, AOR

Mrs. Anupama Sharma, Adv.

Mr. Sparsh Saxena, Adv.

Mr. Sumit Sharma, Adv.

Mr. Amar Jyoti Sharma, Adv.

Mr. Satish Pandey, AOR

Ms. Jay Jaimini Pandey, Adv.

Ms. Lalita Gupta, Adv.

Mr. Akash Saini, Adv.

Mr. Manmonhan Sharma, Adv.

Mr. Malak Manish Bhatt, AOR

Mr. Sravan Kumar Karanam, AOR

Mr. Aniket Singh, Adv.

Mr. P.I. Jose, AOR

Mrs. Mary Scaria, Adv.

Ms. Sumita Hazarika, AOR  
Mrs. Bina Gupta, AOR  
Ms. S. Janani, AOR  
Mr. Atul Sharma, AOR

Mr. Amit Anand Tiwari, Sr. Adv./Sr. A.A.G.  
Mr. Sabarish Subramanian, AOR  
Ms. Devyani Gupta, Adv.  
Ms. Tanvi Anand, Adv.  
Mr. Vishnu Unnikrishnan, Adv.  
Mr. Saushria Havelia, Adv.  
Mr. Danish Saifi, Adv.

Ms. Ankita Sharma, AOR  
Mr. Arjun D Singh, Adv.

Mr. Arun K. Sinha, AOR

Mr. Shibashish Misra, AOR

Ms. Asha Gopalan Nair, AOR

Mr. T.V. Ratnam, AOR

Mr. Rajiv Kumar Choudhry, AOR

Mr. Ramesh Babu M. R., AOR

Mr. Shiv Mangal Sharma, A.A.G.  
Mr. Milind Kumar, AOR

Mrs. Naresh Bakshi, AOR

Mr. Anuvrat Sharma, AOR

Mr. T. Mahipal, AOR

Mr. Aravindh S., AOR  
Mr. Akshay Gupta, Adv.  
Mr. Aadithya Aravindh, Adv.

Mr. Krishnanand Pandeya, AOR

Mr. V.N. Raghupathy, AOR  
Ms. Mythili S, Adv.

Mr. Siddhartha Chowdhury, AOR

Mr. Sunil Kumar Jain, AOR  
Ms. Rashika Swarup, Adv.

Mr. M. Yogesh Kanna, AOR

Ms. Mrinal Gopal Elker, AOR  
Ms. Shruti Verma, Adv.  
Ms. Chhavi Khandelwal, Adv.

Mrs. D. Bharathi Reddy, AOR  
Mr. Nishant Sharma, Adv.  
Ms. Adviteeya, Adv.

Mr. Amit Sharma, AOR  
Mr. Dipesh Sinha, Adv.  
Ms. Pallavi Barua, Adv.  
Ms. Aparna Singh, Adv.

Mr. Gopal Singh, AOR  
Mr. Ranjan Mukherjee, AOR  
Mr. Ashwani Kumar, AOR  
Mr. Santosh Kumar - I, AOR

Mr. Pukhrambam Ramesh Kumar, AOR  
Mr. Karun Sharma, Adv.  
Ms. Anupama Ngangom, Adv.  
Ms. Rajkumari Divyasana, Adv.

Mr. R. Balasubramanian, Sr. Adv. (N/P)  
Ms. Swarupama Chaturvedi, Sr. Adv. (N/P)  
Mr. Pratyush Shrivastava, Adv.  
Mrs. Chitrangda Rastaravara, Adv.  
Mr. Apoorva Kurup, Adv.  
Mr. Arvind Kumar Sharma, AOR

Mr. Anando Mukherjee, AOR  
Mr. Shwetank Singh, Adv.

Mr. Jaideep Gupta, Sr. Adv. (N/P)  
Mr. Kunal Chatterji, AOR  
Ms. Maitrayee Banerjee, Adv.  
Mr. Rohit Bansal, Adv.  
Ms. Mrinalini Mukherjee, Adv.

Ms. K. Enatoli Sema, AOR  
Ms. Limayinla Jamir, Adv.  
Mr. Amit Kumar Singh, Adv.  
Ms. Chubalemla Chang, Adv.  
Mr. Prang Newmai, Adv.

Mr. T.G. Narayanan Nair, AOR  
Ms. Samyuktha H Nair, Adv.

Mr. Naresh Kumar, AOR  
Mr. Anandh Kannan N., AOR  
Mr. Raj Bahadur Yadav, AOR  
Mr. Nirnimesh Dube, AOR  
Mr. Kunal Mimani, AOR  
Mr. Abhinav Rana, Adv.  
Mr. Krishnayan Sen, AOR  
Mr. Rana Ranjit Singh, AOR  
Mr. Vivek Kumar Singh, Adv.  
Mr. Ravish Singh, Adv.  
Mr. Abhilash Tripathy, Adv.  
Ms. Akanksha Singh, Adv.  
Mrs. Sweta Singh, Adv.  
Mr. Rajesh Garg, Adv.  
M/s. Parekh & Co., AOR  
Mr. G. Prakash, AOR  
Mr. Karan Bharihoke, AOR  
Ms. Enakshi Mukhopadhyay Siddhanta, AOR  
Mr. Ravi Kumar S., Adv.  
Mr. Sameer Abhyankar, AOR  
Ms. Ayushi Bansal, Adv.  
Mr. Aakash Thakur, Adv.  
Mr. Arjun Garg, AOR  
Mr. Merusagar Samantaray, AOR  
M/s. Corporate Law Group, AOR  
Mr. Kaushal Yadav, AOR  
Mr. Nandlal Kumar Mishra, Adv.  
Dr. Ajay Kumar, Adv.  
Mr. Vinod Sharma, AOR  
Mr. Vikramjeet Banerjee, A.S.G. (N/P)  
Mr. Wasim Qadri, Sr. Adv.  
Mr. Mukesh Kumar Maroria, AOR  
Mr. Pratyush Shrivastava, Adv.

Ms. Chitragda Rashtrawara, Adv.  
Mr. Ishaan Sharma, Adv.  
Mr. Ashok Panigrahi, Adv.  
Mr. Apoorv Kurup, Adv.  
Mr. Jagdish Chandra Solanki, Adv.

Ms. Asmita Singh, AOR  
Mr. Abheet Mangleek, Adv.  
Mr. Tushar Nair, Adv.  
Mr. Anirudh Anand, Adv.  
Mr. Punishk Handa, Adv.

Mr. Shuvodeep Roy, AOR  
Mr. Deepayan Dutta, Adv.  
Mr. Saurabh Tripathi, Adv.

Mr. Anil Shrivastav, AOR

Ms. Kamini Jaiswal, AOR

Mr. Shail Kumar Dwivedi, AOR

M/s. PLR Chambers And Co., AOR

Mr. Rajiv Shanker Dvivedi, Standing Counsel/Adv.  
Ms. Tulika Mukherjee, AOR  
Mr. Beenu Sharma, Adv.  
Mr. Venkat Narayan, Adv.

Mr. Braj Kishore Mishra, AOR  
Mr. Abhishek Yadav, Adv.  
Mr. Ajay Kumar Srivastava, Adv.

Mr. Ardhendumauli Kumar Prasad, AOR

Mr. Ranjan Kumar, AOR

Ms. Sakshi Kakkar, AOR

Mr. Dilip Annasaheb Taur, AOR  
Mr. Amol V. Deshmukh, Adv.

Mr. Gaichangpou Gangmei, AOR

Mr. Gautam Das, AOR  
Mr. Abanikanta Sahu, Adv.  
Mr. Gautam Das, Adv.  
Mr. Raman Sharma, Adv.  
Mr. Krishan Rana, Adv.  
Mr. C.M. Gopal, Adv.  
Mr. Shivam Kumar, Adv.

Mr. Susheel Tomar, Adv.  
Ms. Suresh Kumari, Adv.  
Ms. Diya Kumari, Adv.  
Mr. Prashant Pathak, Adv.  
Mr. Sanjeev Malhotra, AOR

Ms. Sayaree Basu Mallik, AOR

Ms. Purnima Krishna, AOR

Mr. Omprakash Ajitsingh Parihar, AOR

Mr. Talha Abdul Rahman, AOR

Mr. Ajay Kumar Singh, AOR

Mr. Shadan Farasat, Sr. Adv.  
Ms. Natasha Maheshwari, Adv.  
Mr. Prateek K Chadha, AOR

Mr. Somesh Chandra Jha, AOR

Mr. Sumeer Sodhi, AOR

Mr. Surender Kumar Gupta, AOR  
Ms. Muskan Gupta, Adv.  
Ms. Mokshita Sharma, Adv.

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

Re-list in the week commencing 01.04.2025.

On the next date of hearing, cases pertaining to the States of Karnataka, Bihar, Uttar Pradesh, Delhi, Maharashtra and Rajasthan, will be taken up.

Suo Motu Writ Petition (Civil) No. 2/2018, titled "*In Re: Filling Up of Vacancies*", will also be listed along with the present appeal on the next date of hearing.

In the meanwhile, the Land and Development Office, Union of India, shall file an affidavit in this Court stating the correct position and status of the land located at 206, Rouse Avenue, New

Delhi.

A copy of this order shall be sent to the Land and Development Office.

I.A. No. 13980/2025

Issue notice, returnable in the week commencing 01.04.2025.

Notice will be served by all modes, including *dasti*.

As an interim measure, we direct that the process for direct recruitment of 158 Civil Judges in the State of Karnataka shall continue, notwithstanding Circular No. DPAR 388 SeNeNi 2024 dated 25.11.2024, issued by the State Government, barring issuance of fresh notifications for direct recruitment to posts where reservation is applicable in the State Civil Services. This order will be subject to the final outcome of the present application.

I.A. No. 230706/2024

Issue notice to the State of Bihar, returnable in the week commencing 01.04.2025.

Notice will be served by all modes, including *dasti*.

The State Government shall immediately process the request made by the High Court for notification of the amended Rule 18 of the Bihar Civil Service (Judicial Branch) (Recruitment) Rules, 1955. If they have any objection to issuance of the notification, they must inform the High Court or this Court within a period of fifteen days from today.

(DEEPAK GUGLANI)  
AR-cum-PS

(R.S. NARAYANAN)  
ASSISTANT REGISTRAR