

OUT TODAY

ITEM NO.13+14

COURT NO.5

SECTION X

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

Item No.13:

Writ Petition(s) (Civil) No(s). 659/2018

JYOTI SINGH & ORS.

Petitioner(s)

VERSUS

HONBLE HIGH COURT OF JUDICATURE OF ALLAHABAD & ANR. Respondent(s)

With

Item No.14:

W.P. (Civil) No.677/2018

With

W.P. (Civil) No.671/2018

(FOR ADMISSION and IA No.82872/2018 - APPROPRIATE ORDERS/DIRECTIONS

With

W.P. (Civil) Nos.680 and 681 of 2018

Date : 13-06-2018 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT

HON'BLE MR. JUSTICE DEEPAK GUPTA

(VACATION BENCH)

For Petitioner(s) Mr. Aayushmaan Vatsyayana, Adv.
Mr. Santosh Kumar, Adv.
Mr. Deepak Anand, AOR

Mr. Yunus Malik, Adv.
Mr. Anish Maheshwari, Adv.
Ms. Farha Malik, Adv.
Mr. Samir Malik, AOR

Mr. Arvind Gupta, AOR
Mr. Shivnath Kumar, Adv.

Mr. Gaurav Srivastava, Adv.
Mr. Abhishek Yadav, Adv.

For Respondent(s)

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

Upon being mentioned Writ Petition (Civil) Nos.680 and 681 of 2018 are taken on Board.

Our attention is invited to order dated 15th February, 2018 passed by this Court in Writ Petition (Civil)No.64 of 2018 and connected matters. The relevant portion of the order is as under:

"The issue in these writ petitions is whether i) the petitioners, who are judicial officers in service, but who have completed seven years before rendering service or; ii) who have a combined service of practice as lawyer and judicial service of seven years or; iii) even in judicial service of seven years, are eligible to participate in the selection to the Delhi Higher Judicial Service.

It is informed that the last date for submission of applications is today i.e. 15.02.2018 and that the examination is scheduled to be held on 15.04.2018.

Heard the learned counsel appearing for the petitioners at the admission stage and Mr. A.D.N.Rao, learned counsel appearing for the High Court of Delhi.

The learned counsel has brought to our notice a Reference made by this Court as per Order dated 23.01.2018 to a larger Bench in SLP(C)No.14156 of 2015 and connected matters.

We direct the High Court of Delhi to register the applications of the petitioners and intervenors, if they are otherwise in order, ignoring the objections regarding seven years practice and in case they are otherwise eligible as per the three aspects referred to above.

We make it clear that this is only a provisional arrangement. Mere participation does not confer them with any right to claim any equity. The eligibility for appointment will be decided at the time of final hearing of the matter."

Similar benefit was extended in case of selection processes initiated by the High Courts of Madhya Pradesh, Uttar Pradesh and Rajasthan and the appropriate orders in that behalf are at pages 75 to 77 of the paper book.

Issue notice.

We extend similar benefit and pass interim order in same terms as was done by this Court on 15th February, 2018.

Let these matters be listed along with similar matters mentioned herein above.

In our view this issue requires immediate consideration. Let the papers be placed before the Hon'ble the Chief Justice of India for appropriate orders.

(ANITA MALHOTRA)
COURT MASTER

(JAGDISH CHANDER)
BRANCH OFFICER