

IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION

CONTEMPT PETITION (CIVIL) NO.2110 OF 2018

IN

WRIT PETITION (CIVIL) NO.310 OF 1996

Concerned People of Nagaland
Through Its Convenor

Petitioner(s)

Versus

Shri R.B. Thong, IAS,
Chief Secretary to the
Government, Nagaland

Respondent(s)

O R D E R

This contempt petition has been filed alleging willful disobedience of the order of this Court passed on 22nd September, 2006 in Writ Petition (C) No.310 of 1996 [*Prakash Singh and Others vs. Union of India and Others, (2006) 8 SCC 1*] by which empanellment by the Union Public Service Commission was required to be obtained before appointment of the Director General of Police in a State. The allegation is that the matter was not referred to the Union Public Service Commission and the appointment of the incumbent was made in violation of this Court's order, as noted above.

We have read and considered the affidavit filed by the Chief Secretary, wherein it has been stated that in the

State of Nagaland there are only a handful of IPS officers and large number of posts in the said cadre are vacant. Furthermore as there was no IPS officer in the Nagaland cadre who had completed 30 years of service, the appointment had been made from outside the cadre and, therefore, the matter was not referred to the Union Public Service Commission.

If that was the case, the State ought to have taken this Court into confidence before resorting to the impugned action. However, having regard to the grounds on which the directions of this Court have been departed from, we are of the view that no case of willful disobedience of the Court is made out. The State Government should take note of above observation and would either comply with the direction or move an application before this Court.

With the aforesaid observations, the contempt petition is not entertained any further. It is, accordingly, dismissed.

.....CJI.
[Ranjan Gogoi]

.....J.
[Sanjiv Khanna]

New Delhi
April 12, 2019.

ITEM NO.40

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition (Civil) No.310/1996

PRAKASH SINGH & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

WITH CONMT.PET.(C) No.2110/2018 in W.P.(C) No.310/1996 (PIL-W)

Date : 12-04-2019 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s)

Mr. Prashant Bhushan, AOR

CP(C) 2110/18

Dr. B.B. Parsoon, Sr. Adv.
Mr. Daya Krishan Sharma, AOR
Ms. Monika Sharma, Adv.
Ms. Sonam Priya, Adv.
Dr. Shiva Sharma, Adv.
Mr. Sachin Bajpai, Adv.

For Respondent(s)

Ms. Pinky Anand, ASG
Ms. V. Mohana, Sr. Adv.
Mr. Wasim A. Qadri, Sr. Adv.
Ms. Binu Tamta, Adv.
Ms. Nikita Kapoor, Adv.
Ms. Ankita Sharma, Adv.
Ms. Kashvi Dutta, Adv.
Ms. Saudamini sharma, Adv.
Mr. Sumit Teterwal, Adv.
Mr. B. V. Balaram Das, AOR

Mr. M. Yogesh Kanna, AOR
Mr. S. Parthaasarathi, Adv.
Mr. S. Raja Rajeshwaran, Adv.

Mr. M. Shoeb Alam, AOR
Mr. Ujjwal Singh, Adv.
Mr. Gautam Parbhakar, Adv.
Mr. Mojahid Karim Khan, Adv.

Ms. Uttara Babbar, AOR

Mr. Manan Bansal, Adv.
Ms. Kaveeta Wadia, AOR
Mr. P. V. Dinesh, AOR
Mrs. Anil Katiyar, AOR
Mr. Gunnam Venkateswara Rao, AOR
Mr. P. Parmeswaran, AOR
M/s. S. Narain & Co.
Ms. Rachana Srivastava, AOR
Mr. Kamendra Mishra, AOR
Mr. P. V. Yogeswaran, AOR
Mr. T. V. George, AOR
Ms. Hemantika Wahi, AOR
Ms. Jesal Wahi, Adv.
Ms. Puja Singh, Adv.
Ms. Vishakha, Adv.
Mr. Gopal Prasad, AOR
Mr. Rajesh Srivastava, AOR
Ms. Sumita Hazarika, AOR
M/s. Venkat Palwai Law Associates
Mr. Dharmendra Kumar Sinha, AOR
Mr. Ashok Mathur, AOR
Mr. B. Balaji, AOR
Mr. Tara Chandra Sharma, AOR
Mr. Radha Shyam Jena, AOR
Mr. Mohanprasad Meharia, AOR
Mr. Kuldip Singh, AOR
Mr. Anip Sachthey, AOR
Mr. Anuvrat Sharma, AOR

Mr. Lakshmi Raman Singh, AOR

Mr. Ranjan Mukherjee, AOR

Mr. Upendra Mishra, Adv.

Mr. Rajiv Lochan, Adv.

Mr. V. N. Raghupathy, AOR

Mr. Parikshit P. Angadi, Adv.

Mr. Mahender Pal Gupta, Adv.

Ms. Anitha Shenoy, AOR

Mr. Aniruddha P. Mayee, AOR

Mr. C. K. Sasi, AOR

Ms. Nayantara Roy, Adv.

Mr. Abdulla Naseeh, Adv.

Mr. T. Harish Kumar, AOR

Mr. Gopal Singh, AOR

Mr. Manish Kumar, Adv.

Mr. R. Ayyam Perumal, AOR

Mr. Anil Shrivastav, AOR

Mr. Atmaram N.S. Nadkarni, ASG

Mr. Merusagar Samantaray, AOR

Mr. Leelesh Krishna, Adv.

Mr. Salvador Santosh Rebello, Adv.

Mr. Abhishek, AOR

Mr. Shuvodeep Roy, AOR

Mr. Kabir Shankar Bose, Adv.

Mr. Rijuk Sarkar, Adv.

Ms. Manreet Kaur, Adv.

Mr. Suhaan Mukerji, Adv.

Ms. Astha Sharma, Adv.

Mr. Amit Verma, Adv.

Mr. Abhishek Manchnda, Adv.

Ms. Kajal Dalal, Adv.

Ms. Dimple Nagpal, Adv.

M/s. Plr Chambers And Co.

Mr. Abhinav Mukerji, AOR

Mrs. Bihu Sharma, Adv.

Mr. Siddharth Garg, Adv.

Ms. Pratishtha Vij, Adv.

Ms. Abha R. Sharma, AOR

Mr. G. Prakash, AOR

Mr. Jishnu M.L., Adv.

Mrs. Priyanka Prakash, Adv.

Mrs. Beena Prakash, Adv.

Mr. K.N. Balgopal, Adv. Gen.

Ms. K. Enatoli Sema, AOR

Mr. Amit Kumar Singh, Adv.

Mr. A.P. Mukundan, Adv.

Ms. Nitya Nambiar, Adv.

Mr. Vitso Rio, Adv.

Mr. Nishant R. Katneshwarkar, Adv.

Ms. Deepa M. Kularni, Adv.

Mr. Sumeer Sodhi, Adv.

Mr. Arjun Nanda, Adv.

Mr. Ashish Tiwari, Adv.

Ms. Swarupama Chaturvedi, Adv.

Mr. Raghvender, Adv.

Ms. Charu Singhal, Adv.

Ms. Aruna Mathur, Adv.

Mr. Avneesh Arputham, Adv.

Ms. Anuradha Arputham, Adv.

Ms. Geetanjali, Adv.

Mr. Siddhesh Kotwal, Adv.

Ms. Bansuri Swaraj, Adv.

Mr. Raghunatha Sethupathy, Adv.

Mr. Gagan Narang, Adv.

Ms. Arshiya Ghose, Adv.

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

CONMT.PET.(C) No.2110/2018 in W.P.(C) No.310/1996

The contempt petition is dismissed in terms of the
signed order.

(Chetan Kumar)
A.R.-cum-P.S.

(Anand Prakash)
Court Master

(Signed order is placed on the file)