

ITEM NOS.53+54

COURT NO.4

SECTION IV-C

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

SPECIAL LEAVE PETITION (CIVIL) Diary No. 35325/2023

(Arising out of impugned final judgment and order dated 21-08-2023 in WPS No. 5788/2023 passed by the High Court of Chhatisgarh at Bilaspur)

HARISHANKAR & ANR.

Petitioner(s)

VERSUS

THE STATE OF CHHATTISGARH & ORS.

Respondent(s)

(FOR ADMISSION and IA No.174954/2023-EXEMPTION FROM FILING O.T. and IA No.174950/2023-PERMISSION TO FILE PETITION (SLP/TP/WP/..) and IA No.174952/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

with

Diary No. 35340/2023 (Item No. 54)

Date : 29-08-2023 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.S. BOPANNA
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. Ravindra Shrivastava, Sr. Adv.
Mr. Anshuman Shrivastava, Adv.
Naushina Ali, Adv.
Mr. Aniket Singh Das, Adv.
Mr. Abhishek Sharma, Adv.
Ms. Sukriti Chauhan, Adv.
Dewangana Singh, Adv.
Sanya Shukla, Adv.
Mr. Abhijeet Shrivastava, AOR

Mr. Sanjay Hegde, Sr. Adv.
Dr. Manoj Gorkela, Adv.
Ms. Sitwat Nabi, Adv.
Ms. Indira Goswami, Adv.
Mr. Varun Kumar, Adv.
Mr. Abhishek Kushwaha, Adv.
Mr. Adutiya Veer, Adv.
Ms. Raina Anand, Adv.
Mr. Ankit Srivastava, Adv.
M/S. Gorkela Law Office, AOR

For Respondent(s) Mr. Amit Agrawal, AOR
Ms. Radhika Yadav, Adv.

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

Permission to file SLPs is granted.

Mr. Amit Agrawal, learned counsel accepts notice on behalf of respondents Nos. 5 to 16. Hence, there is no need to issue formal notice to them. Issue notice to respondent Nos. 1 to 4.

Dasti, in addition, is permitted.

In the meantime, taking into consideration that the recruitment process which was in progress, is now interrupted by the ad-interim order dated 21.08.2023 and the aspect ultimately to be considered by the High Court is with regard to the manner in which the judgment in C.A. No. 5068 of 2023 passed by this Court is to be construed, at this stage interrupting the recruitment process would not be justified.

Therefore to the said extent, we hereby stay the order dated 21.08.2023 passed by the High Court and clarify that the recruitment process, which was in progress prior to the date of the said interim order passed by the High Court, shall continue and the appointments, if any, made thereunder will however remain subject to result of the consideration to be made by the High Court in W.P.S No. 5788 of 2023. The selected candidates shall be informed of the same by the Appointing Authority concerned.

In the meantime, notwithstanding the pendency of these petitions, the petitioners herein may also implead themselves before the High Court in the writ petition and if the High Court deems it fit to hear the parties and consider the writ petition on its own merits and in accordance with law, there shall be no impediment for the High Court to proceed on merits in the matter since these petitions are limited to the aspect of interim order.

(RAJNI MUKHI)
COURT MASTER (SH)

(RAM SUBHAG SINGH)
COURT MASTER (NSH)