

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 14812/2021

(Arising out of impugned final judgment and order dated 10/09-06-2021 in WPS No. 5700/2018 passed by the High Court of Jharkhand at Ranchi)

TARUN KUMAR &amp; ORS.

Petitioner(s)

VERSUS

THE STATE OF JHARKHAND &amp; ORS.

Respondent(s)

(FOR ADMISSION AND I.R. AND I.A. NO. 77184/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND I.A. NO. 77182/2021-EXEMPTION FROM FILING O.T. AND I.A. NO. 77181/2021- PERMISSION TO FILE PETITION)

Date : 16-07-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE NAVIN SINHA  
HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. Brajesh Pandey, Adv.  
Mrs. Suchita Dixit, Adv.  
Mr. Rajeev Yadav, Adv.  
Mr. Anilendra Pandey, AOR

For Respondent(s)

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

Permission to file Special Leave Petition is granted.

Learned senior counsel appearing on behalf of the petitioners points out that in W.P. (C) No.1387/2017, the High Court had observed as follows :

"We also propose to make it abundantly clear that by the ad-interim order dated 18.9.2019 passed by this Court in these writ applications, the selection process was never stayed by the Court in the non-scheduled districts, though, as informed to us, it had erroneously been taken by the State Government like that. There was no stay for appointments on any post in the non-scheduled districts, or for that matter there was no stay for the appointments even in the scheduled

districts, rather, only the operation of the Notification No. 5938 dated 14.7.2016 was stayed by this Court. In other words, the appointments could be continued to be made even in the scheduled districts, ignoring the aforesaid notification."

It is submitted that the petitioners are candidates who had applied for posts of Trained Graduate Teacher in Government Secondary Schools in non-scheduled districts of Jharkhand under Advertisement No.21 of 2016. There was no reservation therein for locals/domicile of non-scheduled districts. The subject matter in SLP(C)No.12490 of 2020 relates to appointments from the scheduled districts of Jharkhand.

In the circumstances, we deem it appropriate to dispose of the special leave petition granting liberty to the petitioners to file an application for modification of the impugned order before the High Court, more particularly with regard to paragraph no.66 as extracted above.

The Special Leave Petition is disposed of with the aforesaid liberty.

Pending applications shall also stand disposed of.

(RAJNI MUKHI)  
COURT MASTER (SH)

(DIPTI KHURANA)  
COURT MASTER (NSH)