

ITEM NO.47

COURT NO.1

SECTION XI-B

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

Civil Appeal No(s).3947/2020

REJANISH K.V

Appellant(s)

VERSUS

K. DEEPA & ORS.

Respondent(s)

[FOR FINAL DISPOSAL].....[TO GO BEFORE THREE
HON'BLE JUDGES]

IA No. 240744/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 240747/2025 - EXEMPTION FROM FILING O.T.

IA No. 234043/2025 - INTERVENTION APPLICATION

IA No. 240746/2025 - INTERVENTION APPLICATION

IA No. 82306/2024 - INTERVENTION APPLICATION

IA No. 246908/2025 - INTERVENTION APPLICATION

IA No. 94827/2021 - INTERVENTION APPLICATION

IA No. 240131/2025 - INTERVENTION APPLICATION

IA No. 246902/2025 - INTERVENTION APPLICATION

IA No. 234828/2025 - INTERVENTION APPLICATION

IA No. 240823/2025 - INTERVENTION APPLICATION

IA No. 234278/2025 - INTERVENTION APPLICATION

IA No. 228165/2025 - INTERVENTION/IMPLEADMENT

IA No. 240724/2025 - INTERVENTION/IMPLEADMENT

IA No. 240663/2025 - INTERVENTION/IMPLEADMENT

IA No. 240176/2025 - INTERVENTION/IMPLEADMENT

IA No. 154702/2022 - PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES

IA No. 76147/2021 - PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES

IA No. 126111/2020 - PERMISSION TO FILE LENGTHY LIST OF DATES

IA No. 126110/2020 - PERMISSION TO PLACE ADDITIONAL FACTS AND
GROUNDS

IA No. 101031/2021 - REJOINDER

IA No. 126108/2020 - STAY APPLICATION

WITH

R.P.(C) No. 867/2021 in W.P.(C) No. 405/2016 (X)FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
86075/2021FOR APPLICATION FOR LISTING REVIEW PETITION IN OPEN COURT ON IA
97477/2021FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
97478/2021

FOR INTERVENTION APPLICATION ON IA 10317/2022

IA No. 97477/2021 - APPLICATION FOR LISTING REVIEW PETITION IN OPEN
COURTIA No. 97478/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 10317/2022 - INTERVENTION APPLICATION
 IA No. 86075/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
R.P.(C) No. 868/2021 in W.P.(C) No. 414/2016 (X)
 IA No. 92054/2021 - APPLICATION FOR LISTING REVIEW PETITION IN OPEN COURT
W.P.(C) No. 857/2021 (X)
 FOR STAY APPLICATION ON IA 93212/2021
 FOR EXEMPTION FROM FILING O.T. ON IA 93213/2021
 IA No. 93213/2021 - EXEMPTION FROM FILING O.T.
 IA No. 93212/2021 - STAY APPLICATION
R.P.(C) No. 996/2021 in C.A. No. 1703/2020 (III-A)
 IA No. 238719/2025 - APPLICATION FOR TRANSPOSITION
 IA No. 266948/2025 - APPLICATION FOR TRANSPOSITION
 IA No. 106028/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
 IA No. 268099/2025 - INTERVENTION/IMPLEADMENT
W.P.(C) No. 864/2021 (X)
 FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 93710/2021
 IA No. 93710/2021 - APPROPRIATE ORDERS/DIRECTIONS
Diary No(s). 18470/2021 (X)
 IA No. 96352/2021 - APPLICATION FOR LISTING REVIEW PETITION IN OPEN COURT
 IA No. 283202/2025 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 96355/2021 - CONDONATION OF DELAY IN FILING REVIEW PETITION
 IA No. 96350/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
 IA No. 277571/2025 - INTERVENTION APPLICATION
W.P.(C) No. 759/2017 (X)
 Ref order dated 13.11.2025
 Ms. Suhasini Sen as an Amicus Curiae.
 IA No. 80893/2017 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 55346/2020 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 96400/2020 - EARLY HEARING APPLICATION
 IA No. 62897/2019 - INTERVENTION/IMPLEADMENT
 IA No. 16575/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
 IA No. 46155/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
 IA No. 270468/2024 - PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS
W.P.(C) No. 1278/2019 (X)
 IA No. 133305/2021 - APPLICATION FOR PERMISSION
 IA No. 159301/2019 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 159302/2019 - EX-PARTE STAY
 IA No. 17607/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
R.P.(C) No. 381/2021 in W.P.(C) No. 396/2018 (X)
 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 83516/2021
 FOR INTERVENTION APPLICATION ON IA 142106/2025
 IA No. 142106/2025 - INTERVENTION APPLICATION
 IA No. 83516/2021 - PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES**R.P.(C) No. 385/2021 in C.A. No. 1700/2020 (III-A)****IA No. 131005/2024 - APPLICATION FOR LISTING REVIEW PETITION IN OPEN COURT****IA No. 313691/2025 - INTERVENTION APPLICATION****IA No. 257920/2025 - INTERVENTION APPLICATION****IA No. 95281/2021 - INTERVENTION/IMPLEADMENT****IA No. 289371/2025 - INTERVENTION/IMPLEADMENT****R.P.(C) No. 1027/2021 in W.P.(C) No. 405/2016 (X)****IA No. 101702/2020 - APPLICATION FOR EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT****IA No. 101700/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT****R.P.(C) No. 379/2021 in W.P.(C) No. 578/2018 (X)****FOR APPLICATION FOR LISTING REVIEW PETITION IN OPEN COURT ON IA 107067/2020****FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 107069/2020****FOR APPLICATION FOR PERMISSION ON IA 33107/2021****FOR INTERVENTION APPLICATION ON IA 140966/2021****IA No. 107067/2020 - APPLICATION FOR LISTING REVIEW PETITION IN OPEN COURT****IA No. 33107/2021 - APPLICATION FOR PERMISSION****IA No. 107069/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT****IA No. 140966/2021 - INTERVENTION APPLICATION****IA No. 267533/2025 - INTERVENTION/IMPLEADMENT****IA No. 266652/2025 - INTERVENTION/IMPLEADMENT****MA 179/2021 in W.P.(C) No. 405/2016 (X)****FOR CLARIFICATION/DIRECTION ON IA 126701/2020****IA No. 126701/2020 - CLARIFICATION/DIRECTION****R.P.(C) No. 669/2021 in W.P.(C) No. 999/2019 (X)****R.P.(C) No. 380/2021 in W.P.(C) No. 222/2017 (X)****IA No. 41296/2021 - APPLICATION FOR LISTING REVIEW PETITION IN OPEN COURT****IA No. 41297/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES****MA 1050/2021 in C.A. No. 1698/2020 (XIV-A)****FOR ADMISSION****IA No. 60181/2021 - APPLICATION FOR PERMISSION****IA No. 60184/2021 - EXEMPTION FROM FILING O.T.****IA No. 60182/2021 - INTERVENTION/IMPLEADMENT****IA No. 60185/2021 - MODIFICATION OF COURT ORDER****R.P.(C) No. 781/2021 in W.P.(C) No. 316/2017 (X)****FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 70906/2021****FOR APPLICATION FOR LISTING REVIEW PETITION IN OPEN COURT ON IA 70908/2021****FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 107880/2021****FOR CLARIFICATION/DIRECTION ON IA 94142/2024****IA No. 70908/2021 - APPLICATION FOR LISTING REVIEW PETITION IN OPEN COURT**

IA No. 94142/2024 - CLARIFICATION/DIRECTION
 IA No. 70906/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
 IA No. 107880/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
R.P.(C) No. 774/2021 in W.P.(C) No. 744/2019 (X)
 IA No. 72819/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
R.P.(C) No. 780/2021 in W.P.(C) No. 602/2016 (X)
 IA No. 75168/2021 - APPLICATION FOR LISTING REVIEW PETITION IN OPEN COURT
R.P.(C) No. 853/2021 in W.P.(C) No. 1080/2019 (X)
 FOR ADMISSION
R.P.(C) No. 621/2021 in C.A. No. 1698/2020 (XIV-A)
 IA
 FOR INTERVENTION APPLICATION ON IA 95875/2021
 FOR INTERVENTION APPLICATION ON IA 34804/2022
 FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 34807/2022
 FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 227380/2024
 FOR INTERVENTION APPLICATION ON IA 36260/2025
 IA No. 279377/2025 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 227380/2024 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 34807/2022 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 272912/2025 - CLARIFICATION/DIRECTION
 IA No. 279378/2025 - EXEMPTION FROM FILING O.T.
 IA No. 34804/2022 - INTERVENTION APPLICATION
 IA No. 95875/2021 - INTERVENTION APPLICATION
 IA No. 227875/2025 - INTERVENTION APPLICATION
 IA No. 224834/2025 - INTERVENTION APPLICATION
 IA No. 36260/2025 - INTERVENTION APPLICATION
 IA No. 279529/2025 - INTERVENTION/IMPLEADMENT
R.P.(C) No. 782/2021 in W.P.(C) No. 639/2018 (X)
 IA No. 85245/2021 - APPLICATION FOR LISTING REVIEW PETITION IN OPEN COURT
 IA No. 266999/2025 - APPLICATION FOR TRANSPOSITION
 IA No. 288306/2025 - APPLICATION FOR TRANSPOSITION
 IA No. 267087/2025 - APPLICATION FOR TRANSPOSITION
 IA No. 267071/2025 - APPLICATION FOR TRANSPOSITION
 IA No. 274728/2025 - INTERVENTION APPLICATION
 IA No. 279235/2025 - INTERVENTION/IMPLEADMENT
 IA No. 267631/2025 - INTERVENTION/IMPLEADMENT
R.P.(C) No. 989/2021 in T.P.(C) No. 272/2018 (XI)
 FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 106912/2021
 IA No. 106912/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
R.P.(C) No. 835/2021 in C.A. No. 1704/2020 (III-A)
 IA No. 94945/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
R.P.(C) No. 836/2021 in C.A. No. 1706/2020 (III-A)
 IA
 FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 95050/2021

**FOR PERSONAL HEARING BEFORE THE COURT ON IA 95052/2021
IA No. 95050/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT**

R.P.(C) No. 1354/2021 in C.A. No. 1698/2020 (XIV-A)

**FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
43878/2022**

IA No. 43878/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

R.P.(C) No. 1042/2022 in W.P.(C) No. 999/2019 (X)

**FOR APPLICATION FOR LISTING REVIEW PETITION IN OPEN COURT ON IA
74132/2022**

**FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
74134/2022**

IA No. 74132/2022 - APPLICATION FOR LISTING REVIEW PETITION IN OPEN COURT

IA No. 74134/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

C.A. No. 11390/2025 (III-B)

FOR ADMISSION and I.R.

IA No. 46607/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

W.P. (C) No. 827/2025 (X)

FOR ADMISSION

IA No. 209996/2025 - GRANT OF INTERIM RELIEF

IA No. 209997/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

W.P.(C) No. 1189/2025 (X)

Date : 18-02-2026 These matters were called on for hearing today.

CORAM :

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HON'BLE MR. JUSTICE JOYMALYA BAGCHI

HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

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 Mr. Aditya Narendranath, Adv.
 Mr. P.B. Sashaankh, Adv.
 Mr. Haresh Nair, Adv.
 Ms. Deeksha Gupta, Adv.
 Ms. M.B. Ramya, Adv.
 Ms. Puspita Basak, Adv.

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

1. The Constitution Bench of this Court in Rejanish K.V. vs. K. Deepa and others (Civil Appeal No.3947/2020), decided on 09.10.2025, overruled the erroneous view taken earlier by a three-Judge Bench in Dheeraj Mor vs. High Court of Delhi, (2020) 7 SCC 401, and issued certain directions that are contained in paragraph 172 of the judgment. In order to remove all sorts of doubts, the

Constitution Bench also deemed it appropriate to add a clarificatory paragraph 170 to the effect that, in no case, any selection process completed or any appointment made prior to the judgment would be affected, except in cases where any interim orders were passed by the High Courts or this Court. In such cases, the issue will be resolved by the Bench after hearing the matters.

2. In order to give effect to the directions contained in paragraph 172 of the judgment, learned *amicus curiae* has submitted a self-explanatory note dated 16.12.2025. The note suggests the way forward to give effect to the Constitution Bench judgment. It has broadly categorised the candidates under consideration in this batch of cases as follows:

- (a) The persons who have been appointed, but their appointments have been reverted;
- (b) The persons whose selection process was complete, but their final appointment orders were not issued;
- (c) The persons whose selection process has not yet been completed;
- (d) The persons who are yet to participate in a selection process or were seeking the right to participate in future selections;
- (e) The persons/Bar Associations challenging the appointments of others.

3. With regard to the recommendations of the *amicus curiae*, regarding points (a), (b), (c), and (d) above, *prima facie*, we see no reason as to why these recommendations be not translated into positive directions. However, before we pass a formal order, we request the learned *amicus curiae* to supply a soft copy of the note dated 16.12.2025 to the learned senior counsel/standing counsel for the High Courts to submit their one-page notes/responses, if any, wherever they disagree with the recommendations of the *amicus curiae*.

4. Let the brief note on behalf of the High Courts be submitted within ten days. It is made clear that no further

opportunity shall be granted for the said purpose.

5. The *amicus* has also highlighted that the consequential question of inter-se seniority may also require consideration by this Court. Seemingly, this will involve complex issues, where all concerned would be required to be heard. The same would, accordingly, be taken up at the relevant stage. The High Courts may, in their one-page responses, include suggestions on this question.

6. List on 11.03.2026 at 2.00 p.m.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI T.C.)
ASSISTANT REGISTRAR