

## IN THE SUPREME COURT OF INDIA

## CIVIL APPELLATE/INHERENT JURISDICTION

Miscellaneous Application Nos.1443-1444/2020

IN

C.A. Nos. 2420-2421/2020

GIRISH CHANDRA SAH &amp; ORS.

Petitioner(s)

VERSUS

STATE OF BIHAR &amp; ORS.

Respondent(s)

WITH

CONMT.PET.(C) No. 241/2021 in C.A. No. 2424/2020O R D E R

We have heard Mr. P. S. Patwalia, learned Senior Advocate in support of the contempt petition, Mr. Vijay Hansaria, learned Senior Advocate for Bihar Public Service Commission ("The Commission" for short) and Mr. Anand Shankar Jha and Mr. Anand Nandan, learned advocates appearing for some of the parties.

While disposing of Civil Appeal Nos.2420-2421 of 2020 arising out of SLP(C) Nos.29764-29765 of 2015, following operative directions were issued by this Court:

"23. As noticed earlier, the committee of experts appointed by this court has made its recommendations. Since the exercise indicates that the previous re-evaluations (by the single judge and the division bench- both made in the absence of expert recommendations) are not correct or accurate, as an exceptional case, we propose to accept them. This approach of ours is in tune with a recent judgment of this court in Pranav Verma v. Registrar General of High Court of Punjab & Haryana [2019 SCC OnLine SC 1610], where the court accepted the recommendations of a

single member committee and directed revision of results in a public examination, relating to recruitment of candidates to judicial service.

24. As a result of the above discussion, the BSSC is directed to evaluate and publish the results afresh, in the light of the recommendations and report of the experts (constituted by this court) subject to care being taken by the BSSC and the Govt. of Bihar, not to disturb appointments made previously pursuant to the directions of the single judge. In case the number of selected candidates (on the basis of the revised result) exceeds the vacancies available as on the last date indicated for consideration (in the concerned recruitment or recruitments), the state of Bihar would accommodate the excess numbers in the relevant cadres as against future vacancies arising till 31.12.2019. This court is hereby making these directions to put a quietus on the dispute, in exercise of its extraordinary powers under Article 142 of the Constitution of India.

25. For the foregoing reasons, the impugned judgment of the Patna High Court, as well as the judgment of the single judge are hereby set aside; the appeals are disposed of in the above terms without order on costs."

Mr. Vijay Hansaria, learned Senior Advocate for the Commission has invited our attention to a copy of the notice appended at page 81 [Annexure- RA-12] of the response filed on behalf of the respondents. According to said notice, a list of 198 recommended candidates was published on the Web-site of the Commission. The relevant averments are to be found in paragraphs 5 onwards of said response, in terms of which 394 candidates were found eligible as per the revised result; and that after the counseling 198 new candidates were found to be eligible. The details of said 198 candidates are also furnished.

Considering the facts and circumstances on record, in our view, the submissions that the directions issued by this Court in

its decision dated 06.05.2020 were not complied with, are incorrect. We therefore, see no reason to entertain this Contempt Petition which is accordingly closed.

All interim applications stand disposed of.

Miscellaneous applications are accordingly disposed of.

.....J.  
[UDAY UMESH LALIT]

.....J.  
[S. RAVINDRA BHAT]

.....J.  
[BELA M. TRIVEDI]

New Delhi;  
January 10, 2022.



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

The Contempt Petition is closed in terms of the signed order.

The M.As. are accordingly disposed of.

Pending applications, if any, shall stand disposed of.

(INDU MARWAH)  
COURT MASTER (SH)

(VIRENDER SINGH)  
BRANCH OFFICER

(SIGNED ORDER IS PLACED ON THE FILE)