

IN THE SUPREME COURT OF INDIA

INHERENT JURISDICTION

REVIEW PETITION (CIVIL) NO. _____ OF 2019
(ARISING OUT OF DIARY NO.17866 OF 2019)
IN
SPECIAL LEAVE PETITION (CIVIL) NO.13998 OF 2015

YOGENDRA KUMAR YADAV & ORS. Petitioner(s)

VERSUS

STATE OF BIHAR & ORS. Respondent(s)

WITH

REVIEW PETITION (CIVIL) NO. _____ OF 2019
(Arising out of Diary No.16614/2019)

REVIEW PETITION (CIVIL) NO. _____ OF 2019
(Arising out of Diary No.17276/2019)

REVIEW PETITION (CIVIL) NO. _____ OF 2019
(Arising out of Diary No.17596/2019)

REVIEW PETITION (CIVIL) NO. _____ OF 2019
(Arising out of Diary No.17612/2019)

REVIEW PETITION (CIVIL) NO. _____ OF 2019
(Arising out of Diary No.17627/2019)

REVIEW PETITION (CIVIL) NO. _____ OF 2019
(Arising out of Diary No.17852/2019)

REVIEW PETITION (CIVIL) NO. _____ OF 2019
(Arising out of Diary No.18466/2019)

REVIEW PETITION (CIVIL) NO. _____ OF 2019
(Arising out of Diary No.18474/2019)

REVIEW PETITION (CIVIL) NO. _____ OF 2019
(Arising out of Diary No.20214/2019)

REVIEW PETITION (CIVIL) NO. _____ OF 2019
(Arising out of Diary No.20532/2019)

REVIEW PETITION (CIVIL) NO. _____ OF 2019
(Arising out of Diary No.21327/2019)

REVIEW PETITION (CIVIL) NO. _____ OF 2019
(Arising out of Diary No.21328/2019)

O R D E R

The delay in preferring Review Applications is condoned.

All these Review Applications arise out of Order dated 01.04.2019 passed by this Court in Special Leave Petition (Civil) Nos.13998-14026 of 2015 and all other connected matters. The judgment and order, which was under challenge in said Special Leave Petitions, was one passed by the High Court while disposing of contempt applications preferred by the Petitioners.

In 2004, an advertisement was published for filling-up of 5742 posts of Constables in different districts of State of Bihar. On the same day another advertisement was published in respect of 4057 posts of Constables in Bihar Military Police, which was followed by further advertisement for filling-up of 67 posts of Constables in Bihar Military Police.

The basic submission that was advanced was that the actual number of vacancies were not ascertained, as a result of which the Petitioners stood deprived of fair chance in the process of selection. The Division Bench of the High Court had initially directed Chief Secretary of the State to ask the Director General of Police to ascertain the actual number of vacancies.

The High Court found that 10174 vacancies were advertised in the year 2004 from and out of which 797 posts were carried forward and appointments to these posts were made through fresh advertisement made in the year 2009. It also noted that in the affidavit dated 12.03.2014 the Director General of Police had indicated that out of 507 posts which had remained vacant, 478 candidates were appointed in compliance of directions by the High Court by constituting 13 new Constables Recruitment Boards, whereafter 29 posts still remained unfilled in respective categories as per reservation roaster.

In the circumstances, the High Court found that there was no wilful disobedience and therefore the contempt petitions were closed.

The view taken by the High Court was affirmed while dismissing the Special Leave Petitions on 01.04.2019.

We have gone through all the Review Applications and considered the submissions raised therein. We do not find any error apparent on record. There was no wilful disobedience on part of the concerned authorities so as to call for any action in Contempt Jurisdiction. We, therefore, see no reason to entertain these Review Applications, which are accordingly dismissed.

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

.....J.
[INDU MALHOTRA]

NEW DELHI;
OCTOBER 16, 2019

ITEM NO.1001

SECTION XVI

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

REVIEW PETITION (CIVIL) Diary No.17866/2019

(Arising out of impugned final judgment and order dated 01-04-2019
in SLP(C) No.13998/2015 passed by the Supreme Court Of India)

YOGENDRA KUMAR YADAV & ORS.

Petitioner(s)

VERSUS

STATE OF BIHAR & ORS.

Respondent(s)

(IA No.79566/2019 - FOR CONDONATION OF DELAY IN FILING REVIEW
PETITION; and, IA No.79567/2019 - FOR EXEMPTION FROM FILING O.T.)

WITH

Diary No.16614/2019 (XVI)

Diary No.17276/2019 (XVI)

(IA No.77182/2019 - FOR LISTING REVIEW PETITION IN OPEN COURT)

Diary No.17596/2019 (XVI)

(IA No.78329/2019 - FOR CONDONATION OF DELAY IN FILING REVIEW
PETITION; and, IA No. 78337/2019 - FOR EXEMPTION FROM FILING O.T.)

Diary No.17612/2019 (XVI)

(IA No.78404/2019 - FOR CONDONATION OF DELAY IN FILING REVIEW
PETITION; and, IA No.78418/2019 - FOR EXEMPTION FROM FILING O.T.)

Diary No.17627/2019 (XVI)

(IA No.78449/2019 - FOR CONDONATION OF DELAY IN FILING REVIEW
PETITION; and, IA No.78454/2019 - FOR EXEMPTION FROM FILING O.T.)

Diary No.17852/2019 (XVI)

(IA No.79539/2019 - FOR CONDONATION OF DELAY IN FILING REVIEW
PETITION; and, IA No.79543/2019 - FOR EXEMPTION FROM FILING O.T.)

Diary No.18466/2019 (XVI)

(IA No.81526/2019 - FOR CONDONATION OF DELAY IN FILING REVIEW
PETITION; and, IA No.81528/2019 - FOR EXEMPTION FROM FILING O.T.)

Diary No.18474/2019 (XVI)

(IA No.81576/2019 - FOR CONDONATION OF DELAY IN FILING REVIEW
PETITION; and, IA No.81577/2019 - FOR EXEMPTION FROM FILING O.T.)

Diary No.20214/2019 (XVI)
 (IA No.86625/2019 - FOR CONDONATION OF DELAY IN FILING REVIEW PETITION; and, IA No.86620/2019 - FOR EXEMPTION FROM FILING PAPER BOOKS)

Diary No.20532/2019 (XVI)
 (IA No.87649/2019 - FOR LISTING REVIEW PETITION IN OPEN COURT; and, IA No.87646/2019 - CONDONATION OF DELAY IN FILING REVIEW PETITION)

Diary No.21327/2019 (XVI)
 (IA No.89690/2019 - FOR CONDONATION OF DELAY IN FILING REVIEW PETITION)

Diary No.21328/2019 (XVI)
 (IA No.89691/2019 - FOR CONDONATION OF DELAY IN FILING REVIEW PETITION)

Date : 16-10-2019 These matters were circulated today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
 HON'BLE MS. JUSTICE INDU MALHOTRA

By Circulation

UPON perusing papers the Court made the following
 O R D E R

Delay condoned.

Application for hearing in Open Court is rejected.

The Review Petitions are dismissed, in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(MUKESH NASA)
 COURT MASTER

(SUMAN JAIN)
 BRANCH OFFICER

(Signed Order is placed on the File)