

ITEM NO.18

COURT NO.9

SECTION XV

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

Petition(s) for Special Leave to Appeal (C) No(s). 30990/2018

(Arising out of impugned final judgment and order dated 09-04-2018 in SAW No. 655/2018 passed by the High Court Of Judicature For Rajasthan At Jodhpur)

MOOLA RAM &amp; ORS.

Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN &amp; ORS.

Respondent(s)

(IA No. 78872/2021 - APPLICATION FOR TAGGING/DETAGGING, IA No.78885/2021 - APPLICATION FOR TAGGING/DETAGGING IA No. 158636/2018 - EXEMPTION FROM FILING O.T. IA No. 158632/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES IA No. 79004/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(C) No. 1545/2019 (XV)

(IA No. 10714/2020 - INTERVENTION/IMPLEADMENT)

SLP(C) No. 16841/2019 (XV)

(IA No. 77948/2020 - APPROPRIATE ORDERS/DIRECTIONS IA No.95029/2021 - CLARIFICATION/DIRECTION IA No. 77943/2020 - EXEMPTION FROM FILING O.T. IA No. 111390/2021 - EXEMPTION FROM FILING O.T. IA No. 95031/2021 - EXEMPTION FROM FILING O.T. IA No. 77949/2020 - EXEMPTION FROM FILING O.T. IA No. 77942/2020 - INTERVENTION APPLICATION IA No. 94556/2021 - INTERVENTION APPLICATION IA No. 88786/2022 - INTERVENTION/IMPLEADMENT IA No. 111388/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES IA No. 100672/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 18475/2019 (XV)

(IA No. 85167/2020 - INTERVENTION/IMPLEADMENT IA No. 85161/2020 - INTERVENTION/ IMPLEADMENT IA No. 85151/2020 - INTERVENTION/ IMPLEADMENT IA No. 85184/2020 - INTERVENTION/IMPLEADMENT IA No. 85178/2020 - INTERVENTION/IMPLEADMENT IA No. 85176/2020 - INTERVENTION/ IMPLEADMENT)

SLP(C) No. 18476/2019 (XV)

(IA No. 111410/2021 - EXEMPTION FROM FILING O.T. IA No. 111409/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 18477/2019 (XV)

(IA No. 111385/2021 - EXEMPTION FROM FILING O.T. IA No. 111384/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 2239/2020 (XV)

SLP(C) No. 9828/2020 (XV)

(IA No. 79868/2020 - EXEMPTION FROM FILING O.T., IA No. 96001/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Diary No.16167/2021 (XV)

(FOR PERMISSION TO FILE SPECIAL LEAVE PETITION ON IA 86440/2021 FOR CONDONATION OF DELAY IN FILING ON IA 86441/2021 IA No. 86441/2021 - CONDONATION OF DELAY IN FILING IA No. 86442/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 86443/2021 - EXEMPTION FROM FILING O.T.)

Diary No(s). 16186/2021 (XV)

(FOR PERMISSION TO FILE SPECIAL LEAVE PETITION ON IA 86589/2021 FOR CONDONATION OF DELAY IN FILING ON IA 86591/2021 IA No. 86591/2021 - CONDONATION OF DELAY IN FILING IA No. 86593/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 86595/2021 - EXEMPTION FROM FILING O.T. IA No. 86589/2021 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s). 16275/2021 (XV)

(FOR FOR PERMISSION TO FILE PETITION (SLP/TP/WP/..) ON IA 84833/2021 FOR CONDONATION OF DELAY IN FILING ON IA 84837/2021 IA No. 84837/2021 - CONDONATION OF DELAY IN FILING IA No. 84835/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 84836/2021 - EXEMPTION FROM FILING O.T. IA No. 107998/2021 - EXEMPTION FROM FILING O.T. IA No. 84833/2021 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s). 16421/2021 (XV)

(FOR CONDONATION OF DELAY IN FILING ON IA 86984/2021, IA No. 86984/2021 - CONDONATION OF DELAY IN FILING IA No. 86985/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 86986/2021 - EXEMPTION FROM FILING O.T. IA No. 108033/2021 - EXEMPTION FROM FILING O.T.)

Diary No(s). 16442/2021 (XV)

(FOR PERMISSION TO FILE PETITION (SLP/TP/WP/..) ON IA 86495/2021 FOR CONDONATION OF DELAY IN FILING ON IA 86498/2021 IA No. 86498/2021 - CONDONATION OF DELAY IN FILING IA No. 86496/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 86497/2021 - EXEMPTION FROM FILING O.T. IA No. 86495/2021 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 18-04-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s)

Mr. Prashant Bhushan, AOR

Ms. Neha Panchpal, Adv.

Dr. Manish Singhvi, Sr. Adv.  
 Mr. Sandeep Kumar Jha, AOR  
 Mr. Ashok Basoya, Adv.  
 Mr. Arpit Prakash, Adv.

Mr. Nidesh Gupta, Sr. Adv.  
 Mr. Shashank Khurana, Adv.  
 Mr. Shiv Mangal Sharma, Adv.  
 Mr. Shrey Kapoor, Adv.  
 Mrs. Abhinandini Sharma, Adv.  
 For M/s. Aura & Co., AOR

Mr. Ankit Anandraj Shah, AOR  
 Mr. Kumar Aditya, Adv.  
 Mr. Karan Shankar Mani, Adv.  
 Mr. Avneesh Upadhyay, Adv.

**For Respondent(s)**

Mr. Devadatt Kamat, Sr. Adv.  
 Mr. Nishanth Patil, AOR  
 Mr. Ayush P. Shah, Adv.  
 Mr. Harsh Pandey, Adv.  
 Mr. Revanta Solanki, Adv.

Dr. Manish Singhvi, Sr. Adv.  
 Mr. Arpit Parkash, Adv.  
 Ms. Shubhangi Agarwal, Adv.  
 Mr. Milind Kumar, AOR

Ms. Archana Pathak Dave, AOR  
 Mr. Kumar Prashant, Adv.  
 Mr. Parmod Kumar Vishnoi, Adv.

Mr. Vishwa Pal Singh, AOR  
 Mr. Ashutosh Bhardwaj, Adv.  
 Mr. Shubham Saxena, Adv.  
 Mr. Akash, Adv.

Mr. Manoj Ranjan Sinha, Adv.  
 Mr. Deepak S., Adv.  
 Mr. Rameshwar Prasad Goyal, AOR

Mr. Manoj Ranjan Sinha, Adv.

Mr. Samir Malik, AOR  
 Mr. Anish Maheshwari, Adv.  
 Mrs. Anish Maheshwari, Adv.  
 Mr. Aman Malik, Adv.  
 Mr. Samir Malik Aor, Adv.

Mr. Apoorv Kurup, AOR

Ms. Nidhi Mittal, Adv.  
Ms. Swati Bhardwaj, Adv.

Mr. Ravinder Agarwal, AOR  
Mr. Lekh Raj Singh, Adv.

Mr. Mritunjay Kumar Sinha, AOR  
Mr. Amitesh Kumar, Adv.  
Ms. Priti Kumari, Adv.

Mr. Ranjan Nikhil Dharnidhar, AOR

Mr. Ankit Acharya, AOR  
Ms. Pratiksha Sharma, Adv.  
Mr. Mueed Shah, Adv.

Mr. S.D. Hooda, Adv.  
Mr. Hitesh Kumar Sharma, Adv.  
Mr. S.K. Rajara, Adv.  
Mr. Akhileshwar Jha, Adv.  
Ms. Niharika Dewivedi, Adv.  
Mr. Amit Kumar Chawla, Adv.  
Yamini Sharma, Adv.

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

1. This batch of Special Leave Petitions pertains to two categories of candidates, namely Scheduled Castes/Scheduled Tribes/Differently Abled persons, and Other Backward Classes (Non-Creamy Layers).
2. The point in issue is whether all of them are entitled to the benefit of 5% relaxation in marks in terms of the University Grants Commission's Notification dated 30-06-2010 read with Notification dated 11-07-2016, for recruitment to the posts of College Lecturers advertised on 12-01-2015, and whether such relaxation if granted to the above-mentioned Reserved Categories candidates, who are applicants in response to advertisement dated 12-01-2015, will amount to giving relaxation retrospectively?
3. In order to appreciate the controversy in its right perspective, learned Senior counsel/learned counsel appearing for the parties may submit their respective brief notes separately in

respect of SCs/STs/Differently Abled Persons candidates on one hand and OBCs (Non-creamy layer) on the other.

4. Post the matters for hearing on 11-07-2023.

5. Learned counsel appearing for the petitioner in Special Leave Petition (Civil) No.16841/2019 (Item No.18.2) shall have instructions whether the said petition still survives on merits.

(VISHAL ANAND)  
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)  
COURT MASTER (NSH)