

ITEM NO.6

COURT NO.6

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). 3595/2017

(Arising out of impugned final judgment and order dated 19-01-2017 in DBCSA No. 64/2017 passed by the High Court Of Rajasthan At Jaipur)

SHIVRAM SINGH CHOUDHARY

Petitioner(s)

VERSUS

STATE OF RAJASTHAN &amp; ANR.

Respondent(s)

([PERMISSION TO FILE ANNEXURES]  
(FOR GRANT OF INTERIM RELIEF)  
(EXEMPTION FROM FILING O.T.)

WITH

SLP(C) No. 5919/2017 (XV)  
(FOR GRANT OF INTERIM RELIEF)

SLP(C) No. 5920/2017 (XV)  
(FOR GRANT OF INTERIM RELIEF)

Date : 03-08-2017 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH  
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. Prashant Bhushan, Adv.  
Ms. Neha Rathi, Adv.  
Mr. Cheryl D'Souza, Adv.  
For Mr. Anupam Lal Das, AOR

For Respondent(s) Mr. P. S. Narasimha, Sr. Adv.  
Mr. Surya Kant, Adv.  
Mr. Pranav Vyas, Adv.  
Ms. Satyam Tiwari, Adv.

Mr. S. S. Shamsberry, Adv.  
Mr. Amit Sharma, Adv.  
Mr. Ankit Raj, Adv.  
Ms. Ruchi Kohli, AOR

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

The petitioner approached this Court with certain grievances regarding the conduct of Rajasthan State and Subordinate Services Combined Competitive Examination (Main) 2016.

On 10.02.2017, this Court passed the following order :-

*"Permission to file special leave petitions is granted.*

*Issue notice to respondent no. 1, returnable on 6<sup>th</sup> March, 2017.*

*Learned counsel appearing for the petitioners submits that the opinion of the Expert Committee was not seen by the High Court and the writ petition was disposed of only on the oral submission of the learned counsel. It is also submitted that the final examination has not been held so far.*

*Petitioners are directed to serve notice on the standing counsel appearing on behalf of the State of Rajasthan. No notice else be issued.*

*Standing counsel appearing for the State of Rajasthan is directed to produce the opinion rendered by the Expert Committee within two weeks.*

*Until further orders, there shall be stay of order of costs."*

Subsequently, by order dated 10.03.2017, this court permitted the petitioners before this Court to appear in the final examination, subject to the result of the petitions. We are informed that the High Court of Rajasthan also permitted around 260 similarly situated candidates to participate in the final

examination subject to the orders passed by this Court.

We have been shown the results of the entire candidates thus permitted to participate in the final examination. Out of 266 candidates thus permitted to participate in the examination pursuant to the orders passed by this Court and the High Court of Rajasthan, only six candidates have secured the required cut-off marks in the main examination.

Though Mr. P. S. Narasimha, learned Additional Solicitor General, has made several submissions, some of which are certainly forceful, having regard to the fact that interviews are going on and consideration of those aspects might take some more time and which might otherwise delay the process of selection, we are of the view that this is a case where this Court should invoke its discretion under Article 142 of the Constitution of India for doing complete justice between the parties.

Therefore, without prejudice to the contentions available to the State, we direct the respondents to allow the six candidates who have passed the examination, to appear in interview. Needless to say that this order is passed in the peculiar facts of this case and it is not meant to be taken as a precedent on any counts.

With the above observations and directions, these Special Leave Petitions are disposed of.

Pending interlocutory applications, if any, stand disposed of.

(JAYANT KUMAR ARORA)  
COURT MASTER

(RENU DIWAN)  
ASSISTANT REGISTRAR