

# SUPREME COURT OF INDIA

Nand Kishore Ojha

Vs.

Anjani Kumar Singh

(Altamas Kabir and H. L. Dattu JJ.)

29.03.2011

## ORDER

1. On 24th February, 2011, while appointing Mr. Justice S.K. Chattopadhyaya, a retired Judge of the Jharkhand High Court, as Special Officer in place of Mr. Justice V.A. Mohta, to ensure that the directions contained in the order of 19th January, 2011, were implemented, we had also indicated that certain steps be taken by the State, which would help in removing anomalies and incongruities in the preparation of the final list, which was to be taken into consideration for the purposes of filling up the vacant posts.

2. Today, we are informed that Mr. Rakesh Uttamchandra Upadhyay, learned Counsel appearing for some of the Petitioners, had spoken to Mr. Justice S.K. Chattopadhyaya, and that a copy of the aforesaid order has also been forwarded to His Lordship. We are also informed that both Mr. Gopal Singh, learned Counsel appearing for the Respondent-State of Bihar and Mr. Upadhyay, have been requested by the learned Judge to meet him on 3rd April, 2011, and that the matter has been fixed for consideration on the said date.

3. However, it appears that the directions, which were indicated in our order of 24th February, 2011, have not yet been fully complied with, although, we are informed by Mr. Kailash Vasdev, learned senior counsel and Mr. Gopal Singh, that a comprehensive list is ready, which contains various details regarding the status of each of the candidates. We are not satisfied with such a list only. We direct the State, in addition to the said list, to prepare the three separate lists, which we had indicated in our order of 24th February, 2011, within 1st April, 2011, and make over copies of the same to the learned Special Officer and Mr. Upadhyay, so that the same can also be scrutinized on behalf of the Petitioners, when the matter is taken up by the learned Special Officer. Let this matter be listed for further

consideration on 3rd May, 2011. Let this Bench be re-constituted on the said date for the aforesaid purpose.

4. Since there are a number of Petitioner, who are represented by different counsel, apart from Mr. Upadhyay, one other counsel representing the other Petitioners and nominated by them, will be entitled to make submissions before the learned Special Officer on behalf of the Petitioners.

5. Let a compilation of the several orders passed by this Court in this matter be prepared, both by the State as well as by Mr. Upadhyaya, and let copies of the same be made available to the learned Special Officer on 3rd April, 2011.