

ITEM NO.30

COURT NO.4

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition (Civil) No.475/2023

SUSHIL KUMAR PANDEY & ORS.

Petitioner(s)

VERSUS

THE HIGH COURT OF JHARKHAND & ANR.

Respondent(s)

(With IA No. 94607/2023 - INTERVENTION/IMPLEADMENT and IA No. 79775/2023 - STAY APPLICATION)

Date : 26-05-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIRUDDHA BOSE
HON'BLE MR. JUSTICE SANJAY KAROL

For Petitioner(s) Mr. Sanjay Hegde, Sr. Adv.
Mr. Joseph Aristotle, Adv.
Mr. Abhas Kumar, AOR

For Respondent(s) Mr. Sunil Kumar, Sr. Adv.
Mr. Krishnanand Pandeya, AOR

Mr. Durga Dutt, AOR
Mr. Rohit Priyadarshi, Adv.
Mr. Vaibhav Shukla, Adv.
Mr. Aditya Tripathi, Adv.
Mr. Ratan Singh, Adv.

Mr. Varun Punia, AOR

Mr. F.I. Choudhury, AOR

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

- 1 When this matter is called on for hearing, it is submitted by Mr Sunil Kumar, learned senior counsel representing the High Court of Jharkhand that so far as the petitioners in the present proceedings are concerned, that is, Sushil Kumar Pandey, Hariom Kumar, Prateek Chaturvedi, Randhir Kumar Singh and Pinki Singh, all of them have obtained more than 50% marks in the *viva voce* examination.
- 2 In view of the above submission, in our opinion, so far as the present petition is concerned, the cause of action does not survive.
- 3 There are also impleadment applications by other aspiring candidates for the posts of District Judge in the State of Jharkhand in connection with the same recruitment process.
- 4 As we are disposing of the present writ petition having regard to what has been submitted before us on behalf of the High Court, the impleadment applications also shall stand disposed of. The applicants of those applications however shall have the liberty to approach such legal forum as they may be advised, if they still have cause of action to maintain a legal proceeding in respect of their grievances on the basis of which they have filed their respective applications for impleadment.
- 5 We also direct the High Court to communicate to each of the candidates who are the writ petitioners before us and also those who want to be impleaded, the marks they have obtained in the *viva voce* examination. This exercise may be completed within a period of four weeks.
- 6 The Writ Petition is accordingly disposed of.

7 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
A.R. -cum-P.S.

(MATHEW ABRAHAM)
COURT MASTER