

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). 21353/2024

(Arising out of impugned judgment and order dated 13-06-2024 in RP No. 620/2024 passed by the High Court Of M.P. Principal Seat at Jabalpur)

HIGH COURT OF MADHYA PRADESH & ANR.

Petitioner(s)

VERSUS

JYOTSNA DOHALIA & ANR.

Respondent(s)

(FOR ADMISSION)

Date : 23-09-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY  
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Gopal Shankarnarayanan, Sr. Adv.  
Mr. Ashwani Kumar Dubey, AOR

For Respondent(s) Mr. Prashant Manchanda, Adv.  
Ms. Nancy Shah, Adv.  
Mr. Rohit Amit Sthalekar, AOR

UPON hearing the counsel the Court made the following

O R D E R

1. Heard Mr. Gopal Shankarnarayanan, learned senior counsel appearing for the petitioners.
2. The counsel would point out that the amendment on the eligibility criteria, for the post of Civil Judge (Junior Division), prescribing either 3 year practice at the bar or minimum 70% marks in the recruitment examination for the general/OBC category candidates, was eventually upheld by the Division Bench through the judgment dated 01.04.2024. The said decision of the High Court was sustained by this Court through the dismissal of the

Special Leave Petitions on 26.04.2024.

3. At that stage, the review petition was filed and the impugned order is passed on 13.06.2024 with the erroneous understanding that an ineligible candidate may be able to secure appointment to the post of Civil Judge.

4. The contention made by the learned senior counsel would indicate that the examinations that were conducted was by due application of the Amendment Rules and only those who had satisfied the eligibility criteria, were allowed to sit in the examination. Therefore, the High Court should not have exercised the review jurisdiction to direct re-computation of the preliminary marks.

5. In our understanding, ineligible candidates cannot be appointed although few ineligible candidates were permitted to appear in the written examination, because of the interim orders. But eventually, only those who satisfy the eligibility norms, are being considered.

6. Issue notice, returnable in four weeks.

7. In the meantime, operation of the impugned order is stayed.

(NITIN TALREJA)  
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)  
ASSISTANT REGISTRAR