

ITEM NO.5

COURT NO.1

SECTION III-A

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

Civil Appeal No(s). 1867/2006

MALIK MAZHAR SULTAN & ANR.

Appellant(s)

VERSUS

U.P. PUBLIC SERVICE COMMISSION
THROUGH ITS SECRETARY & ORS.

Respondent(s)

WITH

SMW (C) No. 1/2017 (PIL-W)

SMW(C) No. 2/2018 (PIL-W)

(LISTED FOR RECEIPT OF REPLY BY CENTRAL GOVERNMENT ON LONG-TERM MEASURES SUGGESTED BY LD. AMICUS CURIAE.)

Date : 23-04-2019 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE DEEPAK GUPTA
HON'BLE MR. JUSTICE SANJIV KHANNA

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

The Secretary to the Government of India, Department of Law & Justice will within seven days from today furnish to the learned Amicus Curiae all details that would be necessary to show compliance of Direction No. 1 contained in our Order dated 28.02.2019 which is to the following effect:

"1. the Central Government to release funds within two months to the extent Utilisation Certificates have been sent by the respective State Governments and submit compliance report to this Court."

Insofar as Direction No. 2 is concerned, from the Note

submitted by the learned Amicus Curiae it appears that the States of Uttarakhand (Rs. 2.30 cr), Arunachal Pradesh (Rs. 2.92 cr) and Tripura (Rs. 16.97 cr) and the Union Territories of Puducherry (Rs. 7.95 cr), Delhi (Rs. 10.92 cr) and Chandigarh (Rs. 7.97 cr) are to issue utilization certificates for the years 2017-2018.

The aforesaid States and the Union Territories are directed to furnish the utilization certificate(s) which may be pending as on date. Details of such utilization certificates will also be furnished to Shri Vijay Hansaria, learned Amicus Curiae, within a period of seven days from today.

The matter will be considered after two weeks.

Insofar as long term measures are concerned, the Court is not inclined to take up the matter at this stage. Matter would be examined subsequently.

I.A. Nos. 64136/2019 and 64137/2019 in SMW (C) No. 2/2018:

These applications are filed on behalf of the High Court of Madhya Pradesh seeking clarification of Order dated 17.01.2019.

Heard Mr. Maninder Singh, learned senior counsel appearing on behalf of the applicant.

Interim Order of this Court dated 17.01.2019 is modified to mean that out of six vacancies directed to be filled up, at this stage, only three against which Advocates with requisite practice may have been selected shall be appointed.

The Interlocutory applications are accordingly disposed of.

(SUSHIL KUMAR RAKHEJA)
AR CUM PS

(ANAND PRAKASH)
BRANCH OFFICER