

HIGH COURT OF MADHYA PRADESH

ORDER

NO. 136 /Confdl./2016
II-15-14/90 (Part-II)

Jabalpur Dated 4.02.2016

Rule 5 of the Madhya Pradesh Higher Judicial Service (Recruitment and Condition of Service) Rules, 1994 was recently amended. Proviso below sub Clause (c) of the said Rule was inserted to overcome the difficulty of large number of vacancies having remained unfilled for long time because of insufficient number of eligible candidates from the Bar to fill-up the available or notified vacancies.

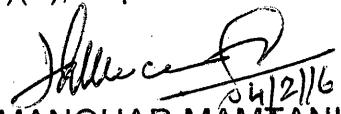
After this amendment, the first selection process has been commenced for filling up 9 vacancies for direct recruit from Bar under Rule 5(1)(c); and 69 vacancies under the proviso below Rule 5(1)(c) from amongst the senior Civil Judges fulfilling the eligibility criteria. In the former category (9 vacancies), 1441 candidates have appeared in the preliminary examination held on 24.1.2016. In respect of the later category (69 vacancies), only 176 Judicial Officers have been found eligible to appear in the main examination to be conducted on the same date and in the same manner as for direct recruitment from Bar.

In the event of non-availability of 69 suitable candidates (Judicial Officer) to fill-up 69 vacancies, those posts will still remain unfilled. The avowed purpose for amendment of Rule 5 was to overcome the difficulty of getting enough number of suitable candidates to fill-up the vacancies ascribable to Rule 5(1)(c) from Bar. This was done to ensure that the vacancies of H.J.S. Cadre do not remain unfilled for long time, but if adequate number of suitable Judicial Officers cannot be found to fill-up the transferred posts as per the proviso, in larger public interest, the High Court of Madhya Pradesh has decided to exercise powers under Rule 17 of Madhya Pradesh Higher Judicial Service (Recruitment and Condition of Service) Rules, 1994 and other enabling provisions, to provide for a "one time relaxation" to fill-up the unfilled posts, if any, out of 69 vacancies, from the source specified by Rule 5(1)(c) from the Bar.

Thus, it is decided that unfilled notified posts ascribable to proviso under Rule 5(1)(c) from Judicial Officers, be filled by the Advocates who

[Signature]
4/2/16

would appear in the same examination along with the Judicial Officers and also fulfill the benchmark specified for such appointment. This will not only sub-serve the institutional interests, but will go a long way to ensure filling up of all the vacant H.J.S. Posts in terms of Rule 5(1)(c), in particular.


(MANOHAR MAMTANI)
REGISTRAR GENERAL

Endt. No. ~~137~~ Confdl./ 2016
II-15-14/90 (Part-II)

Jabalpur Dated 04.02.2016

Copy forwarded to :-

1. The Principal Secretary, Govt. of M.P., Law and Legislative Affairs Department, Bhopal for placing the same before His Excellency, Hon'ble the Governor of M.P. for information.
2. The Principal Registrar, High Court of Madhya Pradesh, Bench at Indore, for information.
3. The Principal Registrar, High Court of Madhya Pradesh, Bench at Gwalior, for information.
4. Member Secretary, Madhya Pradesh State Legal Services Authority, 574, South Civil Lines, Jabalpur, for information.
5. Principal Registrar (Judicial) / (Vigilance) / (I.L.R. & Examination), for information.
6. Registrar (Vigilance & Litigation) / (District Establishment) / (Judicial-I) / (Judicial-II) / (Administration) / (Exam & Labour Judiciary) / (I.T.) / Registrar & Secretary, High Court Legal Services Committee, High Court of Madhya Pradesh, Jabalpur, for information.
7. Registrar-cum-PPS to Hon'ble the Chief Justice, High Court of Madhya Pradesh, Jabalpur, for placing the same before His Lordship's kind information.
8. In-charge Director / O.S.D., M.P. State Judicial Academy, First Floor, Abolished SAT Building, Jabalpur, for information.
9. P.S. to Hon'ble Shri Justice _____, High Court of Madhya Pradesh, Jabalpur, for placing the same before His Lordship's kind information.
10. P.S. to Hon'ble Shri Justice _____, High Court of Madhya Pradesh, Bench at Indore, Indore, for placing the same before His Lordship's kind information.

11. P.S. to Hon'ble Shri Justice _____,
High Court of Madhya Pradesh, Bench at Gwalior, **Gwalior**, for placing the
same before His Lordship's kind information.
12. Deputy Registrar & P.S. to Registrar General, High Court of Madhya
Pradesh, Jabalpur, for information.


(MANOHAR MAMTANI)
REGISTRAR GENERAL