

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSItem No.58:

Petition(s) for Special Leave to Appeal (C) No(s). 3402/2024

(Arising out of impugned final judgment and order dated 12-12-2023 in WPA No. 7907/2019 passed by the High Court at Calcutta)

HASAN BISWAS & ORS.

Petitioner(s)

VERSUS

RAMESH MALIK & ORS.

Respondent(s)

(IA No. 51115/2024 - INTERVENTION/IMPLEADMENT
IA No. 139362/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 64315/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

With

Item No.71:Petition(s) for Special Leave to Appeal (C) No(s).11891-11892/2024
(IA No.116540/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS
IA No.128828/2024 - FOR DELETION OF PROFORMA RESPONDENT NOS.14 TO
313 FROM THE ARRAY OF PARTIES)

Date : 15-07-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s)

Mr. Guru Krishna Kumar, Sr. Adv.
Mr. Anil Mishra, Adv.
Mr. Anindo Mukherjee, Adv.
Mr. Rameshwar Prasad Goyal, AORMr. M. Shoeb Alam, Sr. Adv.
Mr. Mayank Manish, Adv.
Mr. Ravi Kant, Adv.
Mr. Chandra Prakash, AOR
Mr. Vivek Singh, Adv.
Mr. Binay Kumar, Adv.
Mr. C.P. Rajwar, Adv.

For Respondent(s)

Mr. Kunal Chatterji, AOR
Ms. Maitrayee Banerjee, Adv.
Mr. Rohit Bansal, Adv.

Mr. Srisatya Mohanty, Adv.
Ms. Astha Sharma, AOR
Mr. Shreyas Awasthi, Adv.
Mr. Abhijit Pattanaik, Adv.

Mr. Shailesh Madiyal, Adv.
Mrs. Swati Ghildiyal, Adv.
Mr. Anuj Udipi, Adv.
Mrs. Sweksha, Adv.
Mr. Chandra Kant Sharma, Adv.
Mr. Amrish Kumar, AOR

Mrs. Meenakshi Arora, Sr. Adv.
Ms. Shalini Kaul, AOR
Mr. Joydeep Mazumdar, Adv.
Mr. P. Sil, Adv.
Mr. C. Chaube, Adv.

Mr. Ravi Kant, Adv.
Mr. Mayank Manish, Adv.
Mr. Chandra Prakash, AOR
Mr. Vivek Singh, Adv.
Mr. C.P. Rajwar, Adv.
Mr. Binay Kumar, Adv.

Mr. Ranjan Mukherjee, Adv.
Mr. Habibur Rehman, Adv.
Mr. Anindo Mukherjee, Adv.
Dr. P.B. Reddy, Adv.
Ms. Patnam Shyla, Adv.
Ms. C.S. Hema, Adv.
Mr. Deepak Chopra, Adv.
Mr. Sumit, Adv.
Mr. Chand Qureshi, AOR

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

SLP(Civil)No.3402 of 2024

Mr. Kunal Chatterji, the learned counsel appearing for respondent Nos. 12 and 13 states that no appointments have been made in place of the petitioners. There is material on record to show that the petitioners were

discharging their duties as teachers for about 6 years.

In view of the aforesaid statement, we direct that the petitioners shall continue in their respective posts on ad-hoc basis from 1st August, 2024. This direction will be subject to further orders which may be passed in this petition.

This order will not prevent the concerned respondents from initiating the process of making fresh appointments. Needless to add that any process of appointment initiated will be subject to further orders which may be passed in this petition.

We make it clear that the petitioners will not be entitled to any backwages and they will get their remuneration from 1st August, 2024 or from the date on which the petitioners join the employment in August, 2024

List on 2nd September, 2024.

In the meanwhile, WPA No.7907 of 2019 along with the connected Writ Petitions shall remain stayed.

Mr. Ranjan Mukherjee, the learned counsel appearing for the applicants seeks permission to withdraw IA No.51115 of 2024 with liberty to file a substantive Special Leave Petition.

Accordingly, the application is disposed of as withdrawn with liberty as prayed.

SLP(Civil)Nos.11891-11892 of 2024

IA No. 128828 of 2024 - application to delete the names of proforma respondent Nos. 14 to 313 is allowed at the risk of the petitioners.

Though these petitions are listed along with SLP(Civil)No.3402 of 2024, only to enable the learned counsel appearing for the contesting respondents to take instructions, these petitions shall be listed on 26th July, 2024.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER