

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1165 OF 2007

(arising out of SLP(C)No.6210 of 2006)

BLIND WELFARE & REHABILITATION ASSOCIATION

& ORS.

... APPELLANTS

VERSUS

BHIMRAO & ANR.

... RESPONDENTS

O R D E R

Leave granted.

Heard the parties.

Briefly stated the facts are as follows :-

The respondents were working as Special Teacher and

Warden in a Blind School. They were dismissed by an order date

15.07.2003 preceded by an inquiry. The dismissal order was

upset by the Divisional Social Welfare Officer. Against which

petitions have been preferred by the appellant herein. The learned Single

Judge while admitting the petitions granted stay of the order of

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writ

Divisional Social Welfare Officer. Against which the respondents preferred Letters Patent Appeal before the High Court. By an impugned order the Division Bench of the High Court granted stay of

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the order of the Learned Single Judge. Since, the respondents were terminated preceded by an inquiry, it was not proper for the Division Bench of the High Court to have interfered with the interim order granted by the Learned Single Judge. In fact, granting of an interim order in such a case would amount to granting the full relief sought for in the writ petition by an interim order. This is not permissible under the law. In view thereof, the order of the Division Bench of the High Court is set aside. The learned Single Judge shall dispose of the writ petitions on their own merits uninfluenced by any observation made by the High Court. We request the learned Single Judge to dispose of the writ petitions expeditiously.

With the above observations, the appeal is allowed. No costs.

All intervention applications are dismissed.

.....J.

(H.K. SEMA)

.....J.

(D.K. JAIN)

NEW DELHI,

MARCH 02, 2007.

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ITEM NO.210

COURT NO.5

SECTION IX

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 (Civil) No(s).6210/2006

(From the judgement and order dated 16/01/2006 in LPA No. 286/2005 & LPA No. 287/2005 of
The HIGH COURT OF BOMBAY AT NAGPUR)

BLIND WELFARE & REHAB.ASSOCIATION & ORS.

Petitioner(s)

VERSUS

BHIMRAO & ANR.

Respondent(s)

(With prayer for interim relief and office report)
(for final disposal)

Date: 02/03/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA

HON'BLE MR. JUSTICE D.K. JAIN

For Petitioner(s)

Mr. V.A. Mohta, Sr.Adv.
Mr. Chander Shekhar Ashri,Adv.

For Respondent(s)

Mr. Aman Lekhi, Sr.Adv.
Mr. Jaspreet S. Pai, Adv.
Ms. Prachi Pandey, Adv.
Mr. Rakesh Kumar, Adv.
Mr. Rohit Nagpal, Adv.
Mr. Alok Kumar,Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

Heard the parties.

The appeal is allowed in terms of the signed order.

No costs. All intervention applications are dismissed.

(PAWAN KUMAR)

(ANAND SINGH)

COURT MASTER

COURT MASTER

(signed order is placed on the file)