

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

I.A. Nos.1-3 In &
Petition for Special Leave to Appeal (Civil)...../2012
CC 4324/2012

(From the judgment and order dated 23/05/2011 in PIL No.55475/2010 and dated 06/02/2012 in CP No.853/2008 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

DIR.OF EDUCATION & ORS.

Petitioner(s)

VERSUS

COMMIT OF MGT.OF F.M.G.M.S.I.COLLG & ORS.
(For permission to file SLP and office report)

Respondent(s)

WITH

SLP(C) NO. 22586 of 2012
(With appln.(s) for exemption from filing O.T. and permission to place addl. documents on record and with prayer for interim relief and office report)

SLP(C) NO. 23148-23149 of 2012
(With prayer for interim relief and office report)

Date: 07/09/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE MADAN B. LOKUR

For Petitioner(s)
SLP(C) CC 4324/12

Mr. Pramod Swarup, Sr. Adv.
Mr. Prashant Chaudhary, Adv.
Mr. C.D. Singh, Adv.-on-record
Ms. Ayesha Chaudhary, Adv.

SLP(C) 22586/12 &
23148-23149/12 & rr
in SLP(C) CC 4324/12

Mr. Dinesh Dwivedi, Sr. Adv.
Ms. Preetika Dwivedi, Adv.
Mr. Abhishek Chaudhary, Adv.-on-record

For Respondent(s)

:2:

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

Permission to file Special Leave Petition (Civil) No. CC
No. 4324 of 2012 is granted.

Delay condoned.

Having heard learned counsel for the contesting parties at some length and bearing in mind the fact that the case has a chequered history, we feel that it would be proper and expedient to dispose of all these petitions with a request to the High Court to take up the Review Application No.62050/2012, filed by the Director of Education (Secondary), Lucknow, U.P. and other education authorities as also Application No.62047/2012, seeking condonation of delay in filing the review petition for disposal on merits, as expeditiously as possible. It is ordered accordingly.

At the time of hearing of the review application, it will be open to the contesting parties to raise the plea of limitation in preferring the review application. The review application shall be decided on its own merits uninfluenced by any observations in order dated 23rd February, 2012.

...3/-

:3:

We further direct that before taking up Writ A. No. 20454 of 2012, giving rise to Special Leave Petition (Civil) Nos.23148-23149 of 2012, the Court shall first examine whether or not the said writ petition is in the nature of a public interest petition and deal with it accordingly. We may note that according to Mr. Dinesh Dwivedi, learned Senior Counsel appearing for the petitioner, the issue raised in the aforesaid writ petition has already been dealt with by a Division Bench of the High Court on an earlier occasion, and, therefore, the writ petitioner cannot be permitted to re-agitate the same issue, more so under the garb of a public interest petition.

|(VINOD LAKHINA)
|Court Master

|(KUSUM GULATI)
|Court Master

