

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).8938/2005

(From the judgement and order dated 03/02/2005 in WP No. 426/2002 of the HIGH COURT OF BOMBAY)

PROGRESSIVE EDUCATION SOCIETY

Petitioner(s)

VERSUS

DHANANJAY PRABHAKAR AVASARIKAR & ORS.

Respondent(s)

(With appln. to permit the respondent to file additional affidavit and prayer for interim relief and office

report )

Date: 06/01/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.K. THAKKER

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Petitioner(s)

Mr. Ashish Wad, Adv.

Mrs. Jayashree Wad, Adv.

Mr. Neeraj Kumar, Adv.

Mr. Arvind Gupta, Adv.

for M/S. J.S. Wad & Co.,Advs.

For Respondent(s) Mr. Subrat Birla, Adv.

Mr. S.C. Birla,Adv.

Mr. Makarand D.Adkar, Adv.

Mr. Vijay Kumar, Adv.

Mr. Vishwajit Singh ,Adv

UPON hearing counsel the Court made the following

O R D E R

We have heard learned counsel for the parties.

Having regard to the nature of the case, we are of the view that the first

respondent would not be entitled to back wages, particularly, in view of the fact that he

has already been serving in other institutions. To that extent, the impugned judgment is

varied.

The special leave petition is disposed of accordingly.

(N. Annapurna)

(V.P. Tyagi)

Court Master

Court Master