

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).7383/2009

(From the judgement and order dated 12/02/2009 in LPA No. 347/2007
of The HIGH COURT OF BOMBAY)

JADEED ANJUMAN-E-TALEEM & ORS. Petitioner(s)

VERSUS

MANSOORI SHAZILA NAEEM AKHTAR & ANR. Respondent(s)

(With appln(s) for permission to file additional documents,
exemption from filing O.T. of annexures and exemption from filing
c/c of the impugned Judgment and prayer for interim relief)

WITH SLP(C) NO. 8086 of 2009
(With appln.(s) for vacating stay, permission to file additional
documents, prayer for interim relief and office report)

Date: 19/03/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

For Petitioner(s) Mr. Shivaji M. Jadhav,Adv.

For Respondent(s) Mr. E.C. Vidya Sagar, Adv.
Mr. Syed Tanweer Ahmed, Adv.
Mr. Mohan Pandey,Adv.
Mr. Yatish Mohan, Adv.

Ms. Asha Gopalan Nair, Adv.

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

Notice was issued restricted to the issue of
backwages.

SLPs are disposed of in terms of the signed order.

(Ravi P. Verma) (M.S. Negi)
Court Master Court Master
[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELATE JURISDICTION

SPECIAL LEAVE PETITION(C) NO. 7383 OF 2009

JADEED ANJUMAN-E-TALEEM & ORS.APPELLANT(S)

Versus

MANSOORI SHAZILA NAEEM AKHTAR & ANR.RESPONDENT(S)

WITH
SPECIAL LEAVE PETITION(C) NO.8086 OF 2009

O R D E R

Notice was issued restricted to the issue of backwages.

2. Learned counsel for the Appellants-employer School submitted that the two teachers (first respondent in each of the two special leave petitions have already been reinstated and will be continued as regular teachers with continuity in service in pursuance of the orders of the High Court.

3. In so far as backwages, the learned counsel for appellants submitted that the school acted bona fide in terminating the services of the teachers as there was a reduction in the strength of students and that the learned Single Judge and Division Bench had not applied their mind to the issue of backwages and had mechanically granted backwages as a consequence of allowing the appeals. They submitted that as the terminations were of the year 1997, if backwages are to be paid the liability will be huge exceeding Rs. Ten lakhs and cannot be borne by the school.

4. The learned counsel for appellants submitted that being a minority institution, the appellants will not be able to bear and pay the backwages as directed by the High Court and offered to pay Rs.2,00,000/- (Rupees Two Lakhs) per teacher in full and final settlement. Learned counsel for the two teachers agreed for the same.

5. In view of the above, we dispose of these two petitions recording the submission that the appellants will pay a lumpsum of Rs.2,00,000/- as back wages to each of the two teachers within eight weeks.

.....J.

(R.V. RAVEENDRAN)

New Delhi;
March 19, 2010.

.....J.
(K.S. RADHAKRISHNAN)