

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).6646/2006

(From the judgement and order dated 28/02/2006 in WP No. 355/2004 &
WP No.591/2004 of the HIGH COURT OF BOMBAY AT NAGPUR)

S.B.SHIKSHAN SANSTHA WADDHAMANA & ANR.

Petitioner(s)

VERSUS

EDUCATION OFFICER, NAGPUR & ORS.

Respondent(s)

(With appln(s) for permission to file addl. documents and
with prayer for interim relief and office report)
(FOR FINAL DISPOSAL)

Date: 30/04/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE DR. JUSTICE LOKESHWAR SINGH PANTA

For Petitioner(s) Mr. Manish Pitale,Adv.
for Mr. Chander Shekhar Ashri,Adv.

For Respondent(s) Ms. Anagha S. Desai,Adv.
Mr. Satyajit A. Desai,Adv.
Mr. Venkateswara Rao Anumolu,Adv.

Mr. Shivaji M. Jadhav,Adv.

Ms. Asha Gopalan Nair,Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

Heard the learned counsel for the parties. The appeal is
disposed of in terms of the signed order.

(A.S. BISHT)
COURT MASTER

(PUSHAP LATA BHARDWAJ)
COURT MASTER

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3380 OF 2008
[Arising out of SLP(C) No.6646/2006]

SHUBHAM BAHUUDDESHIYA SHIKSHAN SANSTHA, ...
WADDHAMANA AND ANR.

APPELLANT(S)

:VERSUS:

EDUCATION OFFICER, NAGPUR AND ORS.

... RESPONDENT(S)

ORDER

Leave granted.

Having heard the learned counsel for the parties, we are of the opinion that interest of justice would be subserved if this appeal is disposed of with the following directions:

(1) The respondent No.3 shall continue to work in the school in question till an appropriate order of transfer is passed posting him to any other school. Such an order may be passed keeping in view the existing vacancy and/or as and when such vacancy occurs.

(2) Respondent No.2, if not working in the school in question, shall be reinstated forthwith in terms of the order passed by the School Tribunal. He shall be paid the back-wages with effect from the date of order passed by the School Tribunal in his favour but he may not be paid any back-wages for the period 1993 to 2002.

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We are passing this order keeping in view the undertaking given by him before the High Court of Judicature at Bombay in Writ Petition No.355/2004.

The appeal is disposed of with the aforementioned directions.

.....J
(S.B. SINHA)

.....J
(LOKESHWAR SINGH PANTA)

NEW DELHI,
APRIL 30, 2008.