

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

Petitions for Special Leave to Appeal (C) Nos. 4396-4397/2023

(Arising out of impugned final judgment and order dated 31-01-2023 in WP No. 8844/2019 31-01-2023 in WP No. 1244/2020 passed by the High Court of Judicature at Bombay)

VIJAY & ANR.

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondent(s)

(IA No.44920/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.44921/2023-EXEMPTION FROM FILING O.T., IA No.44923/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 45518/2023 - EXEMPTION FROM FILING O.T. AND IA No. 45516/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

WITH

Diary No(s). 8975/2023 (IX)

(FOR ADMISSION and I.R. and IA No.47869/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.47872/2023-EXEMPTION FROM FILING O.T. and IA No.47864/2023-PERMISSION TO FILE PETITION (SLP/TP/WP/..) and IA No.47873/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP (C)No. 4670/2023 Item NO. 51

(IA No.47957/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.47956/2023-EXEMPTION FROM FILING O.T.)

WITH

SLP(C) No. 4526/2023 (IX)

(FOR ADMISSION and I.R. and IA No.45770/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.45769/2023-EXEMPTION FROM FILING O.T.)

SLP (C) Dy No. 8984/2023 Item no. 53

(IA No. 54383/2023 - ADDITION / DELETION / MODIFICATION PARTIES, IA No. 54371/2023 - APPLICATION FOR SUBSTITUTION, IA No. 54372/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN., IA No. 54364/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 54365/2023 - EXEMPTION FROM FILING O.T., IA No. 54318/2023 - EXEMPTION FROM FILING O.T., IA No. 54316/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 54367/2023 - PERMISSION TO FILE LENGTHY LIST OF DATES, IA No. 54362/2023 - PERMISSION TO FILE PETITION (SLP/TP/WP/..) and IA No. 54381/2023 - SETTING ASIDE AN ABATEMENT)

SLP (C)No. 5196/2023 Item No. 54

IA No. 53760/2023 - DELETING THE NAME OF PETITIONER/RESPONDENT, IA No. 53763/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED

JUDGMENT, IA No. 54896/2023 - EXEMPTION FROM FILING O.T., IA No. 53766/2023 - EXEMPTION FROM FILING O.T. and IA No. 54895/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(C) No. 5251/2023 (IX)

(IA No.55088/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.55082/2023-EXEMPTION FROM FILING O.T. and I.A NO.55080/2023-DELETING THE NAME OF PETITIONER/RESPONDENT)

SLP(C) No. 5240/2023 (IX)

(IA No.54786/2023-ADDITION / DELETION / MODIFICATION PARTIES, IA No.54789/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.54788/2023-EXEMPTION FROM FILING O.T.)

SLP(C) No. 5186/2023 (IX)

(FOR ADMISSION and I.R. and IA No.53719/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.53721/2023-EXEMPTION FROM FILING O.T.)

Date : 17-03-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA
HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. Sandeep Sudhakar Deshmukh, AOR
Mr. Nishant Sharma, Adv.
Mr. Tushar D. Bhelkar, Adv.

Mr. Devdutt Kamat, Sr. Adv.
Mr. Harshvardhan Akolkar, Adv.
Ms. Pallavi Pratap, AOR
Ms. Prachi Pratap, Adv.
Dr. Prashant Pratap, Adv.
Mr. Akshay Singh, Adv.
Ms. Avadhi Jain, Adv.
Mr. Arnav Vats, Adv.

Mr. P. S. Patwalia, Sr. Adv.
Mr. Satyajit A Desai, Adv.
Mr. Satya Kam Sharma, Adv.
Mr. Vijay Raj Singh Chauhan, Adv.
Mr. Abhinav K. Mutyalwar, Adv.
Mr. Siddharth Gautam, Adv.
Mr. Gajanan N Tirthkar, Adv.
Ms. Anagha S. Desai, AOR

Mr. Nitin S. Tambwekar, Adv.
Mr. Seshatalpa Sai Bandaru, AOR

Mr. Sudhanshu S. Choudhari, AOR

For Respondent(s) Mr. K.M. Nataraj, A.S.G.
Mr. Aaditya Aniruddha Pande, AOR

Mr. Siddharth Dharmadhikari, Adv.
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.

Mr. Vinay Navare, Sr. Adv.
Mr. Abhay Anil Anturkar, Adv.
Mr. Vaibhav Kulkarni, Adv.
Mr. Dhruv Tank, Adv.
Ms. Surbhi Kapoor, AOR

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

Permission to file SLPs(C) Dy No. 8975/2023 and Dy No. 8984/2023 is granted.

Delay condoned.

Abatement is set aside.

IA No. 54371/2023 - Application for substitution is allowed.

I.A. No. 54383/2023 for deletion of names of respondent Nos.192 to 201 in SLP (C) Dy.No. 8984/2023, I.A.No. 53760/2023 for deletion of names of respondent Nos. 8 to 58 in SLP (C) No. 5196/2023, I.A. No. 55080/2023 for deletion of names of respondent Nos. 8 to 45 in SLP (C)No.5251/2023 and I.A. No. 54786/2023 for deletion of names of respondent Nos. 8 to 47 in SLP (C) No. 5240/2023 are allowed.

Issue notice to the respondents.

The respondents may file their objections to these petitions.

In the meantime, there shall be stay of recovery from the salaries and benefits already paid to the petitioners and similarly placed employees. Further the pay-scale based on which salary is being paid as on today shall not be altered till further consideration is made in these petitions.

Though there is no impediment for the respondents to work out the modalities to implement the order passed by the High Court, the same shall not be given effect to in view of the earlier portion of this order.

(RAJNI MUKHI)
COURT MASTER (SH)

(DIPTI KHURANA)
ASSISTANT REGISTRAR