

ITEM NO.6

COURT NO.13

SECTION IX

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

Petition(s) for Special Leave to Appeal (C) No(s). 13008/2011

(Arising out of impugned final judgment and order dated 16/03/2011 in WP No. 1297/1995 passed by the High Court Of Bombay)

ATTAR HUSSAIN & ORS.

Petitioner(s)

VERSUS

URDU EDUCATION ASSN. & ORS.

Respondent(s)

(with appln. (s) for appropriate orders and office report)
(For Final Disposal)

WITH

SLP(C) No. 13443/2011
(With Interim Relief and Office Report)

SLP(C) No. 16339/2011
(With Interim Relief and Office Report)

SLP(C) No. 18655/2011
(With Office Report)

SLP(C) No. 19818/2011
(With Interim Relief and Office Report)

SLP(C) No. 20034/2011
(With appln.(s) for appropriate orders and Interim Relief and Office Report)

Date : 08/12/2015 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. Manish Pitale, Adv.
Ms. Deeplaxmi S. Matwankar, Adv.
for Mr. Chander Shekhar Ashri, Adv.

Mr. Rameshwar Prasad Goyal, Adv.
Ms. Anagha S. Desai, Adv.

For Respondent(s) Mr. Ravindra Shrivastava, Sr. Adv.
Mr. Madhav D. L., Adv.
Mr. Satyajit S. Desai, Adv.
for Ms. Anagha S. Desai, Adv.

Mr. M. C. Dhingra, Adv.
Mrs. Priya Puri, Adv.
Mr. Pramod Dubey, Adv.
Mr. Rohit Sthalekar, Adv.
Mr. Shiv Chopra, Adv.

Mr. Shivpati B. Pandey, Adv.
Mr. Nishant Katneshwarkar, Adv.

Mr. Rameshwar Prasad Goyal, Adv.

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

SLP (C) No. 13008 of 2011 and SLP (C) No. 13443 of 2011

These are the Special Leave Petitions filed by four teachers who are admittedly working in Majlis-E-Madarsa-E-Saifiyah, which is covered by grants from Government. No doubt, there is a dispute as to whether these petitioners or the teachers appointed by the Receiver are the ones who are entitled to continue in employment. That can be resolved only when these cases are finally disposed of.

However, we are of the view that the pendency of these cases before this Court should not be a ground for denying salary to the teachers who are actually working. Therefore, we direct the Deputy Director of Vocational Education and Training, Regional Office at Amravati, Maharashtra and the State of Maharashtra, represented by its Secretary, Ministry of Education, to disburse the salary including the arrears for the period the petitioners in these two Special Leave Petitions actually rendered their services. The salary shall also be continued to be paid till they are in actual service. The disbursement of the salary, as above, shall be made within a period of four weeks from the date of production of a copy of this order before the Deputy Director, failing which the

petitioners will be entitled to interest @12%, the liability of which shall be personally of the Secretary.

We make it clear that this order is without prejudice to the contentions available to the teachers and the State or any other party to these cases before this Court and that this arrangement is subject to the result of the final outcome of these Special Leave Petitions.

Post all the Special Leave Petitions on 13.01.2016 as first item, subject to overnight part heard.

(Jayant Kumar Arora)
Sr. P.A.

(Renu Diwan)
Court Master