

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NOS.687-688 OF 2014

MIHIR KUMAR HAZRA

APPELLANT(S)

VERSUS

THE SECRETARY, RAGHUNATHPUR HIGH SCHOOL & ORS. RESPONDENT(S)

ORDER

1. The appellant is aggrieved by the judgment dated 14th March, 2012 passed by the Division Bench of the High Court of Calcutta in F.M.A. No.1034 of 1998, whereby two applications - CAN Nos.9292 and 9820 of 2010, moved by the respondents herein for restoration of the appeal and for condonation of delay, were allowed.

2. We may note that the appeal filed for restoration was initially dismissed in default on 22nd April, 2002, subsequently restored and yet again dismissed in default on 27th June, 2006.

3. By virtue of the impugned order, the learned Division Bench has allowed the application for restoration and for condonation of delay of 1596 days filed by the respondents herein on 6th October, 2010.

4. After addressing arguments at some length, learned counsel for the appellant submits that he may be permitted to withdraw the present appeals while reserving the right of the appellant to address arguments on merits before the High Court and take all the pleas that may be available to him, both on facts and in law.

5. A similar request is made on behalf of the respondents No.1-2 – School and the respondents No.3-5 – State.
6. Accordingly, the present appeals are disposed of as not pressed with liberty granted to both sides to take all the pleas as may be available to them on facts and in law as may be available to them before the Division Bench of the High Court. The parties shall appear before the High Court on 15.01.2024 for a date to be fixed for the disposal of the appeal(s). As the appeals are of the year 1995/1998, the High Court is requested to dispose them of as expeditiously as possible.
7. Needless to state that if aggrieved by the order that may be passed by the High Court in the appeals preferred by the respondents No. 1 and 2 herein, the aggrieved party shall be entitled to seek appropriate legal recourse, as may be available under law.
8. The Civil Appeals are disposed of in terms of the above order.
9. Pending application(s), if any, shall stand disposed of.

..... J.
(HIMA KOHLI)

..... J.
(AHSANUDDIN AMANULLAH)

**NEW DELHI;
NOVEMBER 29, 2023.**

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 SCivil Appeal No(s).687-688/2014

MIHIR KUMAR HAZRA

Appellant(s)

VERSUS

THE SECRETARY, RAGHUNATHPUR HIGH SCHOOL & ORS.

Respondent(s)

([TOP OF THE BOARD])

Date : 29-11-2023 This appeal was called on for hearing today.

CORAM : HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAHFor Appellant(s) Mr. D. Bharat Kumar, Adv.
Mr. Joydip Roy, Adv.
Mr. Aman Shukla, Adv.
Mr. Chandrakanth Reddy, Adv.
Ms. Ekta Swarup, Adv.
Mr. Vishal Arun, AORFor Respondent(s) Mr. Swarnendu Chatterjee, AOR
Ms. Deepakshi Garg, Adv.
Mr. Yashwardhan Singh, Adv.

Ms. Anju Thomas, Adv.
Mr. Srisatya Mohanty, Adv.
Ms. Astha Sharma, AORUPON hearing the counsel the Court made the following
O R D E R

1. In terms of the signed order, the Civil Appeals are disposed of.
2. Pending application(s), if any, shall stand disposed of.

(RAVI ARORA)
COURT MASTER (SH)(NIDHI WASON)
COURT MASTER (NSH)

(signed order is placed on the file)