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ITEM NO.5

COURT NO.10

SECTION XV

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).21377/2009
(From the judgement and order dated 25/03/2009 in SBCWP No.3649/2004,DBSCA
No.69/2009 of The HIGH COURT OF RAJASTHAN AT JAIPUR)

SURESH CHANDRA SHARMA

Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 30/08/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s)

Mr. S.S. Shamsbery,Adv.
Mr. V.M. Vishnu,Adv.
Mr. Bhakti Vardhan Singh,Adv.
Mr. R.C. Kohli,Adv.

For Respondent(s)

Dr. Manish Singhvi,Addl.AG, Raj
Mr. Anjani Kumar Dubey,Adv.
Mr. Imtiaz Ahmed,Adv.
Mrs. Naghma Imtiaz,Adv.
Mr. Milind Kumar,Adv.

For Intervenors :

Mr. Raju Ramachandran,Sr.Adv.
Mr. Nikhil Singhvi,Adv.
Mr. Abhishek Gupta,Adv.
Mr. Purushottam Sharma Tripathi,Adv,

Ms. Ruchi Kohli,Adv.
Mr. Yash Mishra,Adv.
Ms. Asha Kocchar,Adv.

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

In compliance with the direction issued by us by our order dated 02.04.2012, an Inquiry Report has been submitted by Dr. Manish Singhvi on behalf of the State of Rajasthan. Since the Report is in Hindi, Dr. Singhvi may file an English translation thereof with a copy to the counsel for the petitioner within four weeks from today.

Dr. Singhvi further submits that the Government had terminated the services of fifty persons, who had according to the State obtained orders of appointment as teachers upon a misrepresentation of the facts. He submits that the said employees have questioned the orders of termination before the High Court of Rajasthan in writ petitions at Jodhpur/Jaipur, which petitions are still pending and in which the High Court has passed various orders staying the operation of their termination. He prays that the High Court be requested to take up the hearing of matters for an expeditious disposal, possibly by a Division Bench of that Court, so that, the entire controversy could be examined by this Court in the light of the said judgment. We see no reason to decline that prayer.

We accordingly request the High Court of Rajasthan to bunch the writ petitions filed by the effected employees and to place the same

for hearing before a Division Bench of that Court for an early disposal of the matter. A copy of this order shall be placed before the Hon'ble Chief Justice for constituting a Division Bench.

Counsel appearing for the parties including some of the writ petitioners before the High Court, who have filed applications for intervention in this court assures us that they will co-operate for an early disposal of the matters by the High Court and complete the pleadings if not already completed.

Learned counsel for the petitioner submits that the State of Rajasthan is making further appointments on the analogy of those already made and has drawn our attention to one such order which the petitioner undertakes to place on record with an affidavit with an advance copy to counsel opposite who may take instructions and file his response.

Post after two months.

A translated copy of the report shall also be furnished by counsel for the State to Mr. Raju Ramachandran, learned senior counsel, who appears for the intervenors.

|(N.K. Goel)
|Court Master

|(Veena Khera)
|Court Master

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