

IN THE SUPREME COURT OF INDIA

INHERENT JURISDICTION

CONTEMPT PETITION (C) NO. 283 OF 2021

IN

CIVIL APPEAL NO. 7718 OF 2019

MANAGING COMMITTEE BISHAMBHAR LAL MAHESHWARI
EDUCATION FOUNDATION

Petitioner(s)

VERSUS

SAURABH SWAMI (I.A.S) & ORS.

Respondent(s)

WITH

CONMT.PET.(C) Nos. 284-288/2021 in C.A. Nos. 7718-7722/2019

O R D E R

By our order dated 30.09.2019, we had stated:

“Leave granted.

Having heard learned counsel for both sides and having perused our order dated 19.07.2016 in Civil Appeal Nos. 6601-6603 of 2016, we are of the view that the institution needs to be reimbursed to the extent of 70% of the amount that has been paid out pursuant to our order dated 10.05.2016. The State is directed to comply with this order within a period of 12 weeks from today.

We make it clear that this order is passed on the peculiar facts of the case under Article 142 of the Constitution of India.

Affidavit dated 27.09.2019 in compliance of order dated 10.05.2016 passed by this Court is taken on record.

The Civil Appeals stand disposed of accordingly.

Pending applications also stand disposed of.”

Affidavits, counter affidavits and further affidavits have since been exchanged and the resultant position appears to be as follows:-

The institution has since paid a sum of Rs. 52.26 Lakhs as per the Sixth Pay Commission to the teachers of the institution and as per our order, the State was to reimburse the institution with 70% of this amount. Admittedly, the State has reimbursed the institution only to the extent of 70% of Rs. 10.41 Lakhs thereby leaving 70% of the balance which is Rs. 41.85 Lakhs. This the State is to do within a period of four weeks from today.

The Contempt Petitions stand closed.

We have made this order in order to do complete justice between the parties.

..... J.
(ROHINTON FALI NARIMAN)

..... J.
(B.R. GAVAI)

New Delhi;
August 02, 2021.

ITEM NO.30 Court 2 (Video Conferencing) SECTION XV

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

CONMT.PET.(C) No. 283/2021 in C.A. No. 7718/2019

MANAGING COMMITTEE BISHAMBHAR LAL MAHESHWARI
EDUCATION FOUNDATION

Petitioner(s)

VERSUS

SAURABH SWAMI (I.A.S) & ORS.

Respondent(s)

(IA No. 71782/2021 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

WITH

CONMT.PET.(C) No. 284-288/2021 in C.A. No. 7718-22/2019 (XV)

Date : 02-08-2021 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE B.R. GAVAI

For Petitioner(s) Mr. Dushyant Parashar, AOR
 Mr. Dinesh Pandey, Adv.
 Mr. Manu Parashar, Adv.

 Mr. Syed Ahmed Saud, Adv.
 Mr. Daanish Ahmad Syed, Adv.
 Mr. Mohd. Parvez Dabas, Adv.
 Mr. Uzmi Jameel Husain, Adv.
 M/s. Shakil Ahmad Syed, AOR

For Respondent(s) Dr. Manish Singhvi, Sr. Adv.
 Mr. Sandeep Kumar Jha, AOR

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

The Contempt Petitions stand closed in terms of the signed
order.

(R. NATARAJAN)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
BRANCH OFFICER

(Signed order is placed on the file)