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ITEM NO.32

COURT NO.11

SECTION XIV

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).18734/2013

(From the judgement and order dated 07/02/2013 in WP No.159/2012 of the
HIGH COURT OF GUWAHATI, ASSAM)

STATE OF MANIPUR & ORS.

Petitioner(s)

VERSUS

PHIJAM GAJENDRA SINGH & ORS.

Respondent(s)

(With appln(s) for deleting the name of respondent, permission to file
additional documents and with prayer for interim relief and office report)

WITH

SLP(C) NO. 18549 of 2013

(With appln(s) for deletion of proforma respondents and with prayer for
interim relief and office report)

SLP(C) NO. 18006 of 2013

(With appln. for permission to file synopsis and list of dates and with
prayer for interim relief)

S.L.P.(C)...CC NO. 10472 of 2013

(For permission to file SLP and with prayer for interim relief and office
report)

S.L.P.(C)...CC NO. 10557 of 2013

(For permission to file SLP and with prayer for interim relief and office
report)

SLP(C) NO. 18943 of 2013

(With appln. for permission to file synopsis and list of dates and with
prayer for interim relief and office report)

Date:06/09/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. GOKHALE

HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. Ranjit Kumar,Sr.Adv.
Mr. Rarry Mangsatabam,Adv.
Mr. Rajesh Chauhan,Adv.
for Mr. Rameshwar Prasad Goyal,Adv.

Mr. Prabhu Basava Patil,Sr.Adv.
Mr. Rarry Mangsatabam,Adv.
Mr. Rajesh Chauhan,Adv.

Mr. S.P. Singh,Sr.Adv.
Mr. Sapam Biswajit Meitei,Adv.
Mr. Khwairakpam Nobin Singh,Adv.

For Respondent(s) Mr. V. Giri,Sr.Adv.
Mr. Gaurav Agrawal,Adv.

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

Heard Mr. Ranjit Kumar learned senior counsel in support of Special Leave Petition No.18006/2013, Mr. Prabhu Basava Patil, learned senior counsel in support of Special Leave Petition No.18943/2013, Mr. S.P. Singh, learned senior counsel in support of Special Leave Petition Nos.18734/2013 & 18549/2013 and Mr. Giri, learned senior counsel assisted by Mr. Gaurav Agrawal, appearing for the contesting respondents.

The issue for consideration in these matters is with respect to the relaxation to the qualifications for teachers to be appointed for the Primary Sections in the State of Manipur. The relaxation was sought by the State of Manipur and that was granted by the Central Government by invoking its powers under Rule 18 of the Right of Children to Free and Compulsory Education Rules, 2010. It is the case of the State of Manipur that it was required because adequate number of institutions and adequate number of trained teachers were not available. After the relaxation was granted by the Central Government, the Teachers Eligibility Test was held and a large number of teachers were appointed. Their appointment has been challenged by the respondents herein by filing writ petitions which have been allowed by the High Court. We are of the view that the matters require consideration.

Permission to file SLP is granted and leave granted in all the matters. Hearing of the appeals is expedited. Service upon the proforma respondents is dispensed with.

All the appeals be listed for hearing in the month of January, 2014.

In the meanwhile, there will be stay of the impugned order passed by the High Court and it will be open to the State Government to proceed to appoint the teachers on the basis of the marks received and the ranking in the Teachers Eligibility Test.

Parties shall be at liberty to file their counter/rejoinder affidavits in the meantime.

(A.S. BISHT)
COURT MASTER

(SNEH LATA SHARMA)
COURT MASTER