

ITEM NO.21

COURT NO.5

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

Diary No(s). 23742/2017

(Arising out of impugned final judgment and order dated 12-04-2017 in WP No. 120/2016 with WP No. 123/2016 with WP No. 124/2016 with WP No. 126/2016 with WP No. 310/2016 with WP No. 328/2016 with WP No. 475/2016 with WP No. 476/2016 passed by the High Court Of Judicature At Bombay At Nagpur)

THR PRINCIPAL DR. BABASAHEB NANDURKAR
COLLEGE OF PHYSICAL EDUCATION & ANR.

Petitioner(s)

VERSUS

SANT GADGE BABA AMRAVATI UNIVERSITY & ANR. ETC.

Respondent(s)

(CONDONATION OF DELAY IN FILING SLP)
(EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)
(EXEMPTION FROM FILING O.T.)
(PERMISSION TO FILE ADDITIONAL DOCUMENTS)

Date : 25-08-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. R. Basant, Sr. Adv.
Mr. Satyajit A. Desai, Adv.
Ms. Anagha S. Desai, AOR
Mr. Nath Mohan Parfulla, Adv.

For Respondent(s)

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

Mr. R. Basant, learned senior counsel appearing for the petitioners, on instruction, submits that the petitioner-Institution has not been working ever since 2013 and many of the teachers in respect of whom the salary is now directed to be deposited by way of an interim order, are not actually working in the college.

In our view, it is for the petitioners to file an appropriate application before the Court for bringing these aspects to the notice of the Court so that the Court would be in a position to pass appropriate orders in terms of justice and equity.

With liberty as above, this Special Leave Petition is permitted to be withdrawn.

We make it clear that in case the petition/application is filed within thirty days from today, the same may not be dismissed on the ground of delay.

We also make it clear that we have not considered the matter on merits.

In view of the order passed above, the second direction in the interim order regarding personal appearance of the office bearer(s) shall remain deferred till the orders are passed by the court in the petition/application for modification being filed by the petitioners.

Pending interlocutory applications, if any, stand disposed of.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR