

ITEM NO.54

COURT NO.9

SECTION XVI

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 (C) No(s). 16152/2023

(Arising out of impugned final judgment and order dated 18-05-2022 in MAT No. 535/2022 passed by the High Court At Calcutta)

SANJU GHOSH & ORS.

Petitioner(s)

VERSUS

LAXMI TUNGA & ORS.

Respondent(s)

IA No. 186489/2023 - CLARIFICATION/DIRECTION

IA No. 175360/2023 - CLARIFICATION/DIRECTION

IA No. 134893/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 173796/2023 - INTERVENTION/IMPLEADMENT

WITH

SLP(C) No. 16153/2023 (XVI)

(IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 136712/2023

FOR CLARIFICATION/DIRECTION ON IA 186480/2023

IA No. 186480/2023 - CLARIFICATION/DIRECTION

IA No. 136712/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 16154/2023 (XVI)

(IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 140269/2023

IA No. 140269/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 37519/2023 (XVI)

FOR ADMISSION and I.R. and IA No.238717/2023-CONDONATION OF DELAY IN FILING and IA No.238719/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.238718/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 42477/2023 (XVI)

(IA No.239375/2023-CONDONATION OF DELAY IN FILING and IA No.239377/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 05-01-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Shyam Divan, Sr. Adv.
 Mr. Chittapriya Ghosh, Adv.
 Mr. Soumya Dutta, AOR
 Ms. Anshula Laroia, Adv.
 Mr. Siddhant Upmanyu, Adv.

For Respondent(s) Mr. Shreyas Awasthi, Adv.
 Ms. Muskan Surana, Adv.
 Ms. Astha Sharma, AOR

Mr. Kunal Chatterji, AOR
 Ms. Maitrayee Banerjee, Adv.
 Mr. Rohit Bansal, Adv.
 Ms. Kshitij Singh, Adv.

Ms. Bansuri Swaraj, Adv.
 Mr. Siddhesh Shirish Kotwal, AOR
 Mr. Bikaram Banerjee, Adv.
 Ms. Ana Upadhyay, Adv.
 Ms. Manya Hasija, Adv.
 Mr. Tejasvi Gupta, Adv.
 Mr. T. Illayarasu, Adv.

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

Delay condoned, issue notice in SLP (C) Diary No. 37519/2023 and SLP (C) Diary No. 42477/2023.

I.A.No. 262202 of 2023 in SLP (C) No. 16154 of 2023 for deletion of the names of proforma respondent Nos. 37, 147, 194 and 195 is allowed at the risk and cost of the petitioner(s).

It is reported that amended memo of parties is already on record.

In this matter, the order granting interim relief passed after the order of the High Court has not been complied with. Mr. Kunal Chatterji, learned counsel, states that such compliance can be made only as per the directions of Respondent No. 13 – West Bengal Board

of Secondary Education, which is not represented even after service of notice.

Let fresh notice be issued to Respondent No.13 – West Bengal Board of Secondary Education through the Commissionerate of the State of West Bengal and the notice be served by the concerned Commissioner of the Police. Let a report of service of notice be sent by the Commissionerate to this Court within two weeks.

It is directed that Respondent Nos. 5 to 13 shall file response to I.A.No. 212813 of 2023 (application for directions) in SLP (C) No. 16154 of 2023 before the next date of hearing.

It is made clear that in case Respondent No. 13 is not represented on the next date of hearing and response to I.A. No. 212813 of 2023 is not filed, we may constrain to pass coercive orders.

Re-list on 12.02.2024.

(JAYANT KUMAR ARORA)
ASTT. REGISTRAR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER