

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.170/2020  
[ @ SLP [C] NO.8184/2019 ]

SAMEER DILIP SHIRALKAR

Appellant(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.  
WITH  
CIVIL APPEAL NO.171/2020  
[ @ SLP(C) No. 11193/2019 (IX) ]

Respondent(s)

O R D E R

Delay condoned.

Leave granted.

On 15.03.2019 while issuing notice, we had recorded the following facts:

“Learned counsel for the petitioner contends that three of the Shiksha Sevaks were dealt with identically, as per Annexure P-5. All the three approached the High Court directly. Two of the petitions were listed before one Bench, while the case of the petitioner was listed before another Bench. In the other two cases, the petitions were dismissed with liberty to the petitioners to approach the Tribunal, while the case of the petitioner was dismissed on the ground of delay and laches. He submits that in the other two cases the Tribunal granted relief and those persons have already been absorbed in other institutions, while in the case of the petitioner, he did not succeed before the Tribunal since the High Court had held that his case suffered from delay and laches.”

On our query, learned counsel for the respondent(s) does not dispute the facts as set out hereinabove and as had been pleaded by the appellant.

In view of the aforesaid, we are of the view that the appellant be also treated on parity with the other two persons who were similarly absorbed in other institutions but will not be entitled to any retrospective benefits.

Needful be done within three months from today.

The appeals are disposed of in terms aforesaid.

.....J.  
[SANJAY KISHAN KAUL]

.....J.  
[K.M. JOSEPH]

NEW DELHI;  
JANUARY 09, 2020.

ITEM NO.35

COURT NO.11

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

Petition(s) for Special Leave to Appeal (C) No(s). 8184/2019

(Arising out of impugned final judgment and order dated 18-12-2017 in CAS No. 30342/2017 passed by the High Court Of Judicature At Bombay)

SAMEER DILIP SHIRALKAR

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA &amp; ORS.

Respondent(s)

IA No. 72745/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 72747/2018 - EXEMPTION FROM FILING O.T.

WITH

SLP(C) No. 11193/2019 (IX)

(FOR ADMISSION and I.R. and IA No.34295/2019-CONDONATION OF DELAY IN FILING and IA No.34298/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.34299/2019-PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS)

Date : 09-01-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Mr. Sudhanshu S. Choudhari, AOR

For Respondent(s) Mr. Nitin Lonkar, Adv.  
Mr. Rahul Chitnis, Adv.  
Mr. Sachin Patil, Adv.

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

Delay condoned.

Leave granted.

The appeals are disposed of in terms of the signed order.

Pending applications stand disposed of.

(ASHA SUNDRIYAL)

COURT MASTER

(ANITA RANI AHUJA)

COURT MASTER

[Signed order is placed on the file]