

ITEM NO.301

COURT NO.11

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).20/2018

(Arising out of impugned final judgment and order dated 31-10-2017 in CWJC No. 21199/2013 passed by the High Court of Judicature at Patna)

THE STATE OF BIHAR & ORS.

Petitioner(s)

VERSUS

THE BIHAR SECONDARY TEACHERS STRUGGLE
COMMITTEE MUNGER & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.289/2018-EXEMPTION FROM FILING O.T. and IA No.10802/2018-IMPLEADING PARTY and IA No.29334/2018-INTERVENTION APPLICATION and IA No.33684/2018-IMPLEADING PARTY and IA NO.44130/2018-CLARIFICATION/DIRECTION IA NO.109992/2018-EXEMPTION FROM FILING O.T. and IA No.125339/2018-INTERVENTION APPLICATION and IA No.56381/2018-INTERVENTION APPLICATION and IA No.109990/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS and IA No.92482/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS)

WITH

SLP (C) No.708/2018 (XVI)

(FOR INTERVENTION APPLICATION ON IA 14061/2018 and IA No.88169/2018-INTERVENTION/IMPLEADMENT)

SLP (C) No.238/2018 (XVI)

(FOR ADMISSION and I.R. and IA No.1945/2018-EXEMPTION FROM FILING O.T.)

SLP (C) No.242/2018 (XVI)

(FOR ADMISSION and I.R. and IA No.1974/2018-EXEMPTION FROM FILING O.T.)

SLP (C) No.169/2018 (XVI)

(FOR ADMISSION and I.R. and IA No.1711/2018-EXEMPTION FROM FILING O.T.)

SLP (C) No.162/2018 (XVI)

(FOR ADMISSION and I.R. and IA No.1550/2018-EXEMPTION FROM FILING O.T.)

SLP (C) No.254/2018 (XVI)

(IA No.2085/2018-EXEMPTION FROM FILING O.T. and IA NO.94248/2018-INTERVENTION/IMPLEADMENT)

SLP (C) No.164/2018 (XVI)

(FOR ADMISSION and I.R. and IA No.1594/2018-EXEMPTION FROM FILING O.T.)

SLP (C) No.251/2018 (XVI)

(FOR INTERVENTION APPLICATION ON IA 17867/2018 AND FOR INTERVENTION APPLICATION ON IA 36749/2018 AND IA NO.109442/2018-INTERVENTION APPLICATION)

SLP (C) No.240/2018 (XVI)

(FOR ADMISSION and I.R. and IA No.1960/2018-EXEMPTION FROM FILING O.T.)

SLP(C) No.572/2018 (XVI)

(FOR INTERVENTION/IMPLEADMENT ON IA 5529/2018)

Date : 03-10-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s)

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For Respondent(s)

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 Mr.Prashant Shukla, Adv.
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 Ms.Swarupama Chaturvedi, Adv.

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 Mrs.Neeraj Singh, Adv.
 Ms.Ritu Beniwal, Adv.
 Mr.Ravi Chandra Prakash, Adv.
 Mr.A.K.Singh, Adv.
 Mr.Sushil Kumar, Adv.
 Mr.A.K.Upadhaya, Adv.

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Mr.Bipin Bihari Singh, Adv.
Mr.Somanatha Padhan, Adv.

Mr.Shyam Singh Chauhan, Adv.
Mr.Sudhanshu Singh, Adv.
Mr.Krishna Kumar Singh, Adv.

(Application for
Intervention)

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(For Applicant)

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Mr.Ramesh Thakur, Adv.

(For Impleadment)

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 Mr.Sukesh Kumar Mishra, Adv.
 Mr.Pankaj Kumar Mishra, Adv.
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 Mr.Surya Narayana Patro, Adv.
 Mr.M.Ram Prasad, Adv.

Mr.Rana Ranjit Singh, Adv.
 Mr.Vivek Kumar Singh, Adv.
 Mr.Ravish Singh, Adv.

Mr.Jay Kumar Singh, AOR

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

Mr.Shyam Divan, learned senior counsel appearing for the State of Bihar in SLP (C) No.20 of 2018 commenced his submission at 2.00 p.m. and concluded at 2.55 p.m. Thereafter, Mr.Dinesh Dwivedi, learned senior counsel appearing for State of Bihar in SLP (C) No.20 of 2018 from 2.55 p.m. to 3.00 p.m., Mr.Vijay Hansaria, learned senior

counsel appearing for respondents in SLP (C) No.20 of 2018 from 3.00 p.m. to 3.20 p.m., Mr.Ranjit Kumar, learned senior counsel appearing for respondents in SLP (C) No.238 of 2018 & SLP (C) No.162 of 2018 from 3.20 p.m. to 3.35 p.m., Mr.Kapil Sibal, learned senior counsel appearing for respondents in SLP (C) No.20 of 2018 from 3.35 p.m. to 3.55 p.m. and Mr.C.A.Sundaram, learned senior counsel appearing for respondents in SLP (C) No.251 of 2018 and SLP (C) No.169 of 2018 from 3.55 p.m. to 4.00 p.m. made their respective submissions.

Arguments concluded.

Judgment reserved.

(Ashok Raj Singh)
Court Master

(Chander Bala)
Court Master

List of books/Acts referred to in SLP(Civil)No.20/2018 and batch:

1. (1989) 1 SCC 182
2. (2012) 6 SCC 1
3. (2014) 8 SCC 1
4. (2009) 9 SCC 514
5. (2014) 13 SCC 792
6. (2011) 11 SCC 122
7. (2008) 10 SCC 1
8. (1995) 5 Suppl. SCC 279
9. The Right of Children to Free & Compulsory Education Act, 2009
10. Constitution of India
11. (2002) 4 SCC 34
12. Mahatma Gandhi National Rural Employment Guarantee Act, 2005
13. National Food Security Act, 2013
14. (1980) Suppl.SCC 155
15. (1980) 1 SCC 634
16. 1956 SCR 267
17. (1974) 4 SCC 656
18. (1975) 4 SCC 754
19. (2003) 8 SCC 369
20. (2017) 7 SC C 729
21. (2003) 9 SCC 731
22. (2008) 9 SCC 552
23. (1979) 4 SCC 642
24. (1998) 2 SCC 1

25. (2017) 16 SCC 148
26. The Food Safety and Standards Act, 2006
27. (2008) 6 SCC 1
28. (1992) 2 SCC 29
29. (1995) Suppl.4 SCC 111
30. The Mental Healthcare Act, 2017.
31. (1993) 1 SCC 645 at 730
32. (1996) 6 SCC 756 paragraphs 28 and 29
33. (2001) 4 SCC 78
34. (1967) 1 SCR 679
35. (1983) 2 SCC 33 paragraph 28
36. (2017) 1 SCC 148
37. (1980) 1 SCC 98
38. (1981) 1 SCC 627
39. (1996) 4 SCC 37
40. (2008) 6 SCC 1 paragraph 345 at 608
41. (2012) 6 SCC 502
42. (2013) 4 SCC 152
43. (2017) 4 SCC 449
44. AIR 1962 SC 1139
45. (1982) 1 SCC 618 paragraph 7
46. (1992) 1 SCC 290
47. (1972) 2 SCC 275
48. (2006) 4 SCC 1
49. (2006) 9 SCC 321
50. (2007) 8 SCC 279
51. (2004) 9 SCC 74
52. (2015) 3 SCC 1
53. (2016) 7 SCC 221
54. AIR 1962 SC 1139
55. 2012(7) SCC 106