

ITEM NO.34+16

COURT NO.2

SECTION XVI

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Item No.34

Petition(s) for Special Leave to Appeal (C) No(s). 18894-18918/2023

(Arising out of impugned final judgment and order dated 27-07-2023 in WPA No. 13085/2023 27-07-2023 in WPA No. 12016/2023 27-07-2023 in WPA No. 11337/2023 27-07-2023 in WPA No. 11751/2023 27-07-2023 in WPA No. 11981/2023 27-07-2023 in WPA No. 11195/2023 27-07-2023 in WPA No. 11642/2023 27-07-2023 in WPA No. 11202/2023 27-07-2023 in WPA No. 11714/2023 27-07-2023 in WPA No. 11638/2023 27-07-2023 in WPA No. 11586/2023 27-07-2023 in WPA No. 10887/2023 27-07-2023 in WPA No. 11293/2023 27-07-2023 in WPA No. 12193/2023 27-07-2023 in WPA No. 11212/2023 27-07-2023 in WPA No. 11527/2023 27-07-2023 in WPA No. 10505/2023 27-07-2023 in WPA No. 11215/2023 27-07-2023 in WPA No. 11189/2023 27-07-2023 in WPA No. 11522/2023 27-07-2023 in WPA No. 10396/2023 27-07-2023 in WPA No. 11183/2023 27-07-2023 in WPA No. 11221/2023 27-07-2023 in WPA No. 10810/2023 27-07-2023 in WPA No. 11383/2023 passed by the High Court At Calcutta)

SECONDARY TEACHERS AND EMPLOYEES  
ASSOCIATION (STEA) & ANR.ETC.

Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL &amp; ORS. ETC.

Respondent(s)

IA No. 176479/2023 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 178254/2023 - INTERVENTION/IMPLEADMENT

IA No. 204910/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

WITH

SLP(C) No. 21345/2023 (XVI)

Item No.16

SLP (C) No.21996/2023

(IA No.201589/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT )

Date : 09-10-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv.  
Mr. Pratik Dhar, Sr. Adv.  
Mr. Sarad Kumar Singhania, AOR  
Mr. Kartik Kumar Ray, Adv.  
Mr. Gouranga Debnath, Adv.

Ms. Rashmi Singhania, Adv.  
Mr. Yash Singhania, Adv.

Ms. Bansuri Swaraj, Adv.  
Mr. Siddhesh Shirish Kotwal, AOR  
Mr. Bikram Banerjee, Adv.  
Ms. Manya Hasija, Adv.  
Ms. Ana Upadhyay, Adv.  
Mr. Tejasvi Gupta, Adv.  
Mr. Pawan Upadhyay, Adv.

For Respondent(s) Mr. Jaideep Gupta, Sr. Adv.  
Mr. Kunal Chatterji, AOR  
Ms. Kshitij Singh, Adv.

Mr. Siddharth Bambha, Adv.  
Mr. Rohit Bohra, Adv.  
Mr. Shyam D. Nandan, AOR

Ms. Maitrayee Banerjee, Adv.  
Mr. Rohit Bansal, Adv.  
Mr. Shyam D. Nandan, AOR

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

Item No.34 & 34.1  
SLP (C) Nos.18894-18918/2023  
SLP(C) No. 21345/2023

IA No.178254/2023 - Application for impleadment  
is allowed.

Application for permission to file additional  
documents/facts/annexures is allowed.

An adjournment letter has been circulated by  
learned counsel for the respondents which is objected  
to by learned counsel for the petitioners.

Four weeks' time is granted to file the counter  
affidavit as prayed for.

Rejoinder if any, be filed within two weeks  
thereafter.

In the meantime, looking to the observations

which we have already made in our order dated 06.09.2023, the shifting of teachers in neighbouring school in the same district can carry on but not otherwise.

This will be applicable to the teachers who have been appointed prior to the Section 10C coming into force.

Interim protection will be applicable only to such of teachers who were appointed prior to Section 10C coming into force and the respondents are free to make the necessary transfers for the teachers appointed post the said Section coming into force.

List on 05.12.2023.

Item No.16  
SLP (C) No.21996/2023

Application for exemption from filing c/c of the impugned judgment is allowed.

Issue notice.

Interim protection will be applicable only to such of teachers who were appointed prior to Section 10C coming into force and the respondents are free to make the necessary transfers for the teachers appointed post the said Section coming into force.

Tag with SLP (C) Nos.18894-18918/2023 and connected matter(s).

SLP [C] NO.18894-18918/2023 & Conctd. Matters

**List on 05.12.2023.**

**(ASHA SUNDRIYAL)**  
**ASTT. REGISTRAR CUM PS**

**(POONAM VAID)**  
**COURT MASTER (NSH)**