

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s).34563/2026

[Arising out of impugned final judgment and order dated 09-04-2026 in LPA No. 1214/2025 passed by the High Court of Gujarat at Ahmedabad]

VAHEVARIA RASHTRIYA PRIMARY SCHOOL

Petitioner(s)

VERSUS

CHHATBAR YASMIN AGAFKAR & ORS.

Respondent(s)

IA No. 251030/2026 - CONDONATION OF DELAY IN REILING / CURING THE DEFECTS

IA No. 251027/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 251028/2026 - EXEMPTION FROM FILING O.T.

Date : 24-08-2026 This matter was called on for hearing today.

CORAM HON'BLE MR. JUSTICE MANOJ MISRA
 HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) Ms. Rucha Pande, Adv.
 Mr. A. Selvin Raja, AOR

For Respondent(s)

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

1. Delay condoned.
2. The submission of the learned counsel for the petitioner is that the Tribunal had, *inter alia*, held that the respondent(s) were not qualified and, therefore, their termination for lack of essential qualifications cannot be held illegal. It is submitted that the High Court has committed manifest error in directing reinstatement and payment of

salary against the Management particularly when the Management was neither receiving grant-in-aid nor was under any statutory obligation to make payment of salary or to follow a statutory procedure for termination. It is submitted, the Management is a private institution and since the respondent(s) were not qualified, their services could not have continued.

3. Issue notice, returnable in six weeks.

4. In the meantime, effect and operation of the impugned order shall remain stayed subject to payment of salary for the period during which the respondent(s) have served the institution.

(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)