

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2632 OF 2009

(Arising out of S.L.P. (C) No.13584 of 2008)

Jasmin R. Rubdi & Ors.

...Appellant(s)

Versus

J.D. Edwin & Ors.

...Respondent(s)

O R D E R

Leave granted.

Heard learned counsel for the parties.

By the impugned order, the High Court, after taking note of the arguments of the counsel appearing for the parties in Miscellaneous First Appeal No. 2486/2008, passed interim order and made arrangement for management of the school by constituting a committee comprising seven persons.

The appellants have challenged the order of the High Court on several grounds including the one that even though they were directly affected by the prayer made for interim relief, they were neither impleaded as parties in the Miscellaneous First Appeal nor were given opportunity to represent their cause.

After some arguments, learned counsel for the parties stated that the impugned order may be set aside so as to enable the respondents herein to implead the appellants as parties to the Miscellaneous First Appeal pending before the High Court and thereafter appropriate order may be passed for management of the school.

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In view of the above, the appeal is allowed, impugned order is set aside and the matter is remitted to the High Court for passing fresh interim order for management of the school. The High Court should, on a prayer made in this regard by the respondents herein, order for impleadment of the appellants herein as parties to the Miscellaneous First Appeal and then pass appropriate order in accordance with law after giving opportunity of hearing to the parties.

Let the hearing of the interim matter before the High Court be expedited.

[B.N. AGRAWAL]

.....J.

[G.S. SINGHVI]

.....J.

New Delhi,
April 17, 2009.

