

Supreme Court of India

B.I.T. Teachers Association, ... vs Chancellor, Ranchi University ... on 20 July, 1987

Equivalent citations: AIR 1988 SC 2132, 1989 LabLC 42, 1987 Supp (1) SCC 461

Bench: M Dutt, R Misra

JUDGMENT

1. On 19th September, 1983 this Court made an order in regard to the teachers of the Birla Institute of Technology affiliated to the Ranchi University, respondent herein. Almost four years have passed since that order was made. The petitioners have been contending that the order of this Court has not yet been implemented and therefore amounts to the contempt of the court while the university authorities have taken the stand that they have fully complied with the directions of this Court. In this application for contempt, affidavits in support of both these stands have been filed and we have heard learned Counsel for the parties.

2. We are of the view that the order of this Court dated 19th September, 1983 did intend to confer on the petitioners who opt within the time limit to get the benefits available to post-graduate teachers in the university. Mr. Sorabjee agrees that if that was the view of the Court and we clarify that now, the respondent-university would agree to comply with the terms of the order within the time now fixed by the Court.

3. It has been pointed out that there are two other Engineering Colleges affiliated to the Ranchi University and are located at Jamshedpur and Sindhry. Learned Counsel for the petitioners has accepted the offer of Mr. Sorabjee to adopt the pattern prevailing in either of the two colleges and learned Counsel for the petitioners has agreed to accept the pattern prevailing in the Jamshedpur Engineering College. Mr. Sorabjee has brought to our notice that with effect from 28th of August, 1986 the technological institute has been conferred the status of a deemed university.

4. Keeping all these aspects in view and on hearing learned Counsel for the parties at great length, we clarify that -

(1) the order of this Court, dated 19th September, 1983 conferred benefits available to the post-graduate teachers of the University keeping the three-tier system in view on the teachers of the institute once their option was exercised and we direct those benefits to be extended to the teachers within two months from today. No application for extension of time will be entertained.

(2) While giving effect to the benefits indicated above, the pattern obtaining in Jamshedpur Engineering College should be the basis.

(3) It is agreed, and we direct, that with effect from 28th of August, 1986 - when the deemed university status was conferred on the university - the benefits and privileges for the teachers under the changed circumstances would be extended to the teachers of the institute. It is further made clear that while doing so any benefit conferred under our order with effect from 19th September, 1983 would not be taken away.

(4) Either party would be at liberty to apply to this Court in case of any difficulty arising out of the adjustment on the basis of the deemed status. On no other count any application would be made to this Court.

5. This disposes of the application for initiating contempt proceedings.