

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 (Civil) No(s).11058/2002

(From the judgement and order dated 13/03/2002 in WA No. 621/2000 of The HIGH COURT OF A.P
AT HYDERABAD)

REGISTRAR,OSMANIA UNIVERSITY & ORS.

Petitioner(s)

VERSUS

B.K.RAMA DEVI

Respondent(s)

(With prayer for interim relief and office report)

(FOR FINAL DISPOSAL)

WITH S.L.P.(C) NO. 6061 of 2003

(With appln(s) for c/delay in filing/refiling SLP, permission to submit additional documents a
nd with

prayer for interim relief and office report)

S.L.P.(C) NO. 6066 of 2003

(With appln(s) for c/delay in filing SLP,c/delay in refiling SLP)

(With prayer for interim relief and office report)

S.L.P.(C) NO. 9062 of 2004

(With prayer for interim relief and office report)

S.L.P.(C) NO. 9277 of 2004

(With prayer for interim relief)

S.L.P.(C) NO. 9278 of 2004

(With appln(s) for permission to submit additional document(s))

(With prayer for interim relief)

Date: 01/04/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner(s) Mr. H.S. Gururaja Rao, Adv.
Mr. T.V. Ratnam, Adv.

For Respondent(s)
in SLP 11058/02: Mr. K. Maruthi Rao, Adv.
Mrs. K. Radha, Adv.
Mrs. Anjani Aiyagari, Adv.

in SLPs.9062,
9277, 9278/04: Dr. Shyamala Pappu, Sr. Adv.
Mr. R. Krishnaamorthi, Adv.
Mr. Mohan Pandey, Adv.

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in SLP 6061/03: Mr. P.S. Narasimha, Adv.
Mr. Ananga Bhattacharya, Adv.
for M/S. P.S.N. & Co., Adv.

UPON hearing counsel the Court made the following

O R D E R

S.L.P.(C) No.11058/2002:

Learned counsel for the parties agree that the special leave petition des
erves to

004, be disposed of in terms of the G.O.No.629, dated 10th September, 2004, issued by the

Government of Andhra Pradesh. Ordered accordingly.

S.L.P.(C) Nos.9062/04, 9277/04, 9278/04:

Leave granted.

The appeals are disposed of, in terms of the signed order.

S.L.P.(C) Nos.6066/03, 6061/03:

Delay condoned.

Leave granted.

The appeals are allowed, in terms of the signed order.

(N. Annapurna)

(Naresh Kumar)

Court Master

Court Master

[Signed order is placed on the file.]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2369 OF 2005

(Arising out S.L.P.(C) No.9062/2004)

Osmania University & Ors.

...Appellant(s)

Versus

G. Kamala & Ors.

...Respondent(s)

With Civil Appeals Nos.2365 to 2368 of 2005
(Arising out of S.L.P.(C) Nos.9277/04, 9278/04
and 6061/03 & 6066/03

With SPECIAL LEAVE PETITION (C) NO.11058 OF 2002

O R D E R

S.L.P.(C) Nos.9062, 9277 & 9278 of 2004:

Leave granted.

By the impugned order dated 29th January, 2004, the Division Bench of the High Court, in the writ appeals of the appellants, declined to suspend the order of a learned Single Judge. It is contended by learned counsel for the appellants that the judgment of the Division Bench, which was the basis of the order of learned Single Judge, has been set aside by this Court. In that regard, our attention has been drawn to the judgment and order passed by this Court on 14th August, 2001 in Civil Appeal No.5320 of 2001. The effect of the impugned order is regularization of the services of the respondents. In view of the aforesaid order passed by this Court, at this stage, the order of learned Single Judge deserves to be suspended, pending decision of Writ Appeals Nos.2116, 2306 and 2307 of 2003 in which the impugned order dated 29th January, 2004 has been passed. While so directing, we feel that the status quo as regards the services of the respondents shall continue till the writ appeals are decided by the High Court. Learned counsel for the respondents states that the writ appeals are already on board. We request the High Court to decide the writ appeals expeditiously.

The net effect of our order is that the respondents in the aforesaid writ

appeals would not be regularized but, at the same time, their services would not be

terminated and status quo as regards their services would continue, till the disposal of the writ appeals.

The appeals are disposed of accordingly.

S.L.P.(C) Nos.6061 of 2003:

Delay condoned.

Leave granted.

Without any discussion on the stand taken by the appellant in its counter

affidavit filed in answer to Writ Petition No.15478 of 1999, the writ petition has been

allowed by the High Court by the impugned order dated 8th April, 2002 and

mandamus issued to the appellant to regularize the services of the first respondent

with effect from the date of the institution of the writ petition. Since we are inclined

to remand the writ petition aforesaid for fresh decision of the High Court, we deem it

fit not to express any opinion one way or the other on merits. The stand of the parties

in the writ petition, in our view, requires a deeper and fuller consideration by the

High Court.

In this view, we set aside the impugned order, allow the appeal and remand

Writ Petition No.15478 of 1999 for its fresh decision by the High Court in accordance

with law. The status quo as regards to the services of respondent No.1 shall continue

till the writ petition is decided by the High Court.

S.L.P.(C) No.6066 of 2003:

Delay condoned.

Leave granted.

The respondent has not appeared, despite service.

Having regard to the facts and circumstances of the case, we are of the view that Writ Appeal No.1179 of 1997, which has been dismissed by the High Court by the impugned order dated 8th April, 2002, deserved a deeper consideration on merits instead of its summary dismissal without sufficient reasons.

Accordingly, we set aside the impugned order, allow the appeal and remand Writ Appeal No.1179 of 1997 to the High Court for its fresh decision.

S.L.P.(C) No.11058 of 2002:

Learned counsel for the parties agree that the special leave petition deserves to be disposed of in terms of the G.O.No.6,29, dated 10th September, 2004, issued by the Government of Andhra Pradesh. Ordered accordingly.

.....J.

(Y.K. SABHARWAL)

.....J.

(P.P. NAOLEKAR)

New Delhi,
April 01, 2005.

