

ITEM NO.8

COURT NO.9

SECTION IX

## S U P R E M E C O U R T O F I N D I A

## RECORD OF PROCEEDINGS

IA No.1 In &amp; Petition(s) for Special Leave to Appeal (Civil)...../2006

(CC 9775/2006)

(From the judgement and order dated 09/11/2006 in WP No. 3031/1994 of The  
HIGH COURT OF BOMBAY AT AURANGABAD)

GOPINATH &amp; ANR.

Petitioner(s)

VERSUS

HARISCHANDRA &amp; ORS.

Respondent(s)

(For permission to file SLP and with prayer for interim relief )

WITH

IA No.1 In &amp; S.L.P.(C)...../2006 (CC NO. 9832)

(For permission to file SLP and with prayer for interim relief and office report)

Date: 04/01/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s)

Mr.Sudhanshu Chaudhari, Adv.

Mr. Naresh Kumar,Adv.

Mr.Uday U.Lalit, Sr.Adv.

Mrs.Rajshri Dubey, Adv.

Mr.Sunil Kumar Verma, Adv.

For Respondent(s)

For RR-1

Mr.Sandip Gorde, Adv.

Mr.Ravindra K.Adsure, Adv.

Mr.Gautam Godara, Adv.

Dr. Kailash Chand,Adv.

Mr.Ajay Majithia, Adv.

Mr.Rajesh Kumar, Adv.

Dr.Kailash Chand, Adv.

For RR-3

Mr.V.J.Dixit, Sr.Adv.

(In CC 9832/06)

Mr.Nishant Katneshwarkar, Adv.

Mr. P.V. Yogeswaran,Adv.

UPON hearing counsel the Court made the following

O R D E R

Permission to file SLP is granted.

2

Issue notice.

Dr.Kailash Chand and Mr.P.V.Yogeswaran, advocate, accepts notice on behalf

of respondent Nos.1 and 3 respectively. Issue notice to the remaining respondents.

We have heard learned counsel appearing on behalf of both sides.  
We have

perused the impugned order passed by the High Court. It is not in  
dispute that

Dr.Ramchandra Kishanrao Ipper was appointed as Principal on regular basis  
which

was approved by the University subject to the final outcome of the Writ Petition. It is

stated by respondent No.3 who claims to represent the Management that respondent

No.1 (Harishchandra) has already taken charge as in-charge Principal. When

Dr.Ramchandra Kishanrao Ipper has been regularly appointed as Principal which was

approved by the University, there is no reason to prevent the said Dr.Ramchandra

Kishanrao Ipper to function as a Principal. Respondent No.1 (Harishchandra) is,

therefore, directed to hand over the charge to Dr.Ramchandra Kishanrao Ipper

forthwith. Dr.Ramchandra Kishanrao Ipper will function as Principal subject to the

final outcome of this Special Leave Petition. The Order of the High Court is modified

to the above extent.

Two weeks' time is granted to file counter affidavit and two weeks' time

thereafter is granted to file rejoinder, if any.

Liberty to mention.

The counsel for the petitioners is permitted to put the Annexures in order.

( Satish K. Yadav )

Court Master

( Phoolan Wati Arora )

Court Master