

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)...../2005

(CC 5649/2005)

(From the judgement and order dated 24/08/2004 in CAN No.5398/2004 @

FMA No.850/2004 in MAT No.2083/2004 of The HIGH COURT OF CALCUTTA)

SUNIL KHAN

Petitioner(s)

VERSUS

KANCHRAPARA COLLEGE & ORS.

Respondent(s)

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

Date: 28/11/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.K. THAKKER

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Petitioner(s)

Mr. Abhijeet Chatterjee,Adv.

Mr. Subodh Kumar Pathak,Adv.

Ms. Sangeeta Das,Adv.

Mr. Dharmendra Kumar Sinha,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

We find no ground to interfere in exercise of powers under Article 136 of the Constitution of India, it being an interim order. The

special leave petition is dismissed.

In case the respondent is filling up the post of Principal by appointing somebody else despite the judgement of the learned Single Judge in favour of the petitioner, it would be open to the petitioner to bring this fact to the notice of the Division Bench, where the appeal is pending, by filing an appropriate application and the said application would, of course, be decided by that Bench in accordance with law.

[T.I. Rajput]

Court Master

[V.P. Tyagi]

Court Master