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ITEM NO.1

COURT NO.3

SECTION XVI

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).12409/2013
(From the judgement and order dated 07/12/2012 in CWJC No.15123/2011 of
The HIGH COURT OF PATNA)

STATE OF BIHAR & ORS.

Petitioner(s)

VERSUS

RAM TAWAKYA SINGH & ORS.

Respondent(s)

(With appln(s) for intervention, stay, deletion of the name of
respondent, vacating stay, vacating interim order, impleadment and prayer for
interim relief and office report)

SLP(C) NO. 8066 of 2013

(With appln(s) for permission to place additional documents on record and
permission to file additional documents and bringing on record the
additional facts and directions and with prayer for interim relief and
office report)

WITH W.P(C) NO. 158 of 2013

(With appln(s) for directions and deletion of the name of respondent and
impleadment as party respondent and permission to file documents and
exemption from filing OT and office report)

Date: 11/07/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE V. GOPALA GOWDA

For Petitioner(s) Mr. Harish N. Salve, Sr. Adv.
in SLP 12409/2013 Mr. Rudreshwar Singh, Adv.
and for respondents Mr. Abhinav Mukerji, AOR
in other petitions

For petitioner(s) Mr. Prashant Bhushan, Adv.
in SLP 8066/13 and Mr. Kumar Ranjan, Adv.
WP 158/2013 and for Mr. S. Pinaki, Adv.
respondent in SLP Mr. Gopal Jha, Adv.
12409/2013

For Respondent(s) Mr. Vikas Singh, Sr. Adv.
(for Chancellor) Mr. Sanjay Kapur, Adv.
Ms. Priyanka Das, Adv.
Mr. Anmol Chandan, Adv.
Ms. Lekha Vishwanath, Adv.

For RR No.21 Mr. Anil B. Divan, Sr. Adv.
Mr. Amit Pawan, Adv.

For RR Nos.20,21, Mr. Ram Jethmalani, Sr. Adv.
22,24 and 28 Mr. Ravi Shankar Kumar, Adv.
Ms. Joyoti Kundu Goyal, Adv.
Mr. Pranav Diesh, Adv.
Mr. Karan kalia, Adv.
Miss P.R. Mala, Adv.
Dr. V.P. Appan, Adv.

IA No.8 Mr. Manan Kumar Misra, Sr. Adv.
Mr. Rajiv Kumar, Adv.
Mr. Hareesh Ahmad Minkaaj, Adv.

Mr. Vibhu Shankar Mishra, Adv.
Mr. Sudhanshu Saran, Adv.

For RR No.19

Mr. L.Nageshwara Rao, Sr. Adv.
Mr. Tarkeshwar Nath, Adv.
Mr. B.K. Pandey, Adv.
Mr. Saurabh Kumar Tuteja, Adv.
Mr. Nirmal Kumar Singh, Adv.
Mr. T.G.N. Nair, AOR

Mr. Neeraj Shekhar, Adv.

In IA No.7

Mr. Pallav Shishodia, Sr. Adv.
Mr. Neeraj Shekhar, Adv.
Mr. Ashutosh Thakur, Adv.

Mr. Nagendra Rai, Sr. Adv.
Mr. Smarhar Singh, Adv.
Mr. Abhishek Kr. Singh, Adv.
Mr. Gopi Raman, Adv.

For RR No.10

Mr. Rakesh Kr. Singh, Adv.
Mr. Prem Prakash, Adv.

Md. Shahid Anwar, AOR

Ms. Kamakshi S. Mehlwal, AOR

Mr. Irshad Ahmad, AOR

UPON hearing counsel the Court made the following
O R D E R

I.A. Nos. 5 of 2013 (impleadment)

This is an application by Dr. (Mrs.) Bharti S. Kumar, Dean, Faculty of Social Science, Patna University, Patna, Bihar for impleadment as a party respondent in S.L.P.(C) No. 12409 of 2013 titled State of Bihar and others v. Dr. Ram Tawakya Singh and others.

Shri Harish Salve, learned senior counsel appearing for the petitioners says that he does not have any objection.

In view of the above, the application for impleadment is allowed in terms of the prayer made. Cause title be amended accordingly.

I.A. No. 14 of 2013 in SLP 12409/2013

This is an application for deleting the name of Respondent Nos. 25 and 26 from the array of parties.

The application is allowed in terms of the prayer made at the risk of the petitioners.

I.A. No. 16 of 2013 in S.L.P.(C) No.12409 of 2013

None for the applicant.

This is an application by B.D. College Teachers Association for impleadment as a party respondent in S.L.P.(C) No. 12409 of 2013 titled State of Bihar and others v. Dr. Ram Tawakya Singh and others.

In our view, the applicant is neither a necessary nor proper party and its presence is not required for deciding the issues involved in S.L.P.(C) No. 12409 of 2013.

The application is accordingly dismissed.

S.L.P.(C) No. 12409 of 2013

Shri Vikas Singh, learned senior counsel appearing for the Chancellor made a statement that the Ordinance sent by the State Government in April, 2013 for approval of the Governor-cum-Chancellor is not in consonance with the Regulations framed by the University Grants Commission and the same will be returned to the State Government today itself.

Shri Harish Salve, learned senior counsel appearing for the petitioners gave out that the State Government will make appropriate amendment in the Ordinance and re-submit the same to the Governor within one week.

Shri Salve, learned senior counsel for the petitioners made his arguments. Thereafter, Shri Prashant Bhushan, learned counsel appearing for the petitioner in S.L.P.(C) No.8066 of 2013 and Writ Petition(C) No.158 of 2013 commenced his submissions. We pointed out to Shri Prashant Bhushan that notice has not been served upon some of the respondents.

Fresh notice be issued to the unserved respondents today itself for being served on or before 18.07.2013. Dasti, in addition, is permitted.

It shall be the duty of the petitioner to serve the unserved respondents on or before 18.07.2013.

Learned counsel for the respondents, who have been served, also complained that copies of the writ petition or special leave petition have not been made available to them.

Shri Bhushan should instruct his colleague to serve copies of the writ petition and special leave petition on the respondents who are duly served and represented.

The respondents, who have already been served, are permitted to file affidavits on or before 21.07.2013.

For further arguments and consideration, the cases are adjourned to 23.07.2013.

|(Parveen Kr.Chawla)

|Court Master

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| |(Usha Sharma)

| |Court Master

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