

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S
C I V I L A P P E A L N O S . 7 3 2 7 - 7 3 2 9 O F 2 0 0 4

SUMAM P A N J I K K A R A N A . & A N R .
l a n t (s)

Appel

V E R S U S

A N T O N Y B E N & O R S .

Respondent(s)

(With office report)

Date: 18 / 0 7 / 2 0 0 7 These Appeals were called on for hearing today.

C O R A M :

H O N ' B L E M R . J U S T I C E H . K . S E M A
H O N ' B L E M R . J U S T I C E L O K E S H W A R S I N G H P A N T A

For Appellant(s)

Mr. T.L. V. Iyer, Sr. Adv.
Ms. Malini Poduval, Adv.

For Respondent(s)

Mr. Rakesh Uttamchandr a Upadhyay, Adv.

Mr. G. Pr a k a s h , Adv

Mr. M. Pai keday, Sr. Adv.
M/s. T.T. K . Deepak & Co., Adv.

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

The dispute involved in these appeals revolves around the issue of promotion to the post of Assistant Professor in the Department of Architecture. In the midst of hearing of these appeals, the first question that arose for determination is as to whether there is a post called Assistant Professor (Architecture) in Fine Arts Stream in the University of Kerala or not. The second question is whether the qualification M.Des . awarded by IIT, Bombay is a requisite qualification for promotion to the post of Assistant Professor (Architecture) at the time when the vacancy arose. The aforesaid questions can be answered only by the University by filing a detailed affidavit. It is unfortunate that despite of receipt of notice, respondent No.3 - University of Kerala, has not filed appearance nor any counter(s) to the appeals have been filed.

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We direct respondent No.3 - University of Kerala, to file a detailed counter affidavit(s) within further period of eight weeks from today. We make it clear that if no counter affidavit(s) is filed within the stipulated period as directed, it will be presumed that the University of Kerala has no defence to offer to the appeals pending in this Court since the year 20 0 4 .

Registry shall send a copy of this order to respondent No.3 - University of Kerala, within one week from today.

List the matters after eight weeks.

(Ravi P. Verma)
Court Master

(Anand Singh)
Court Master