

SECTION XI
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

LISTED ON : 13.02.2017
COURT NO. : 1
ITEM NO. : 12

INTERLOCUTORY APPLICATION NO. 4

(Application for direction)

IN

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL) NO. 32490 OF 2015

WITH PRAYER FOR INTERIM RELIEF

WITH

INTERLOCUTORY APPLICATION NO. 2

(Application for Interim relief)

SYED ABRAR AHMAD

...PETITIONER(S)

VERSUS

ALIGARH MUSLIM UNIVERSITY & ORS.

...RESPONDENT(S)

OFFICE REPORT

The matter above-mentioned was listed before the Hon'ble Court on 30.11.2015, when the Court was pleased to pass the following Order:-

“Issue notice on the special leave petition as well as on prayer for interim relief returnable in six weeks.

Mr. Anup Kumar, Advocate accepts notice on behalf of the respondent no. 1-University.

Let notice be issued to other respondents.”

Accordingly, Show Cause notice was issued to all the four Respondents through Registered A.D Post on 11.12.2015. Mr. Anup Kumar and Mr Prem Prakash, Advocates have filed vakalatnama and memo of appearance along with Counter Affidavit on behalf of Respondent Nos. 1 & 3 respectively. (Counter Affidavit included in Paper Books). Mr. R.P Goyal, Advocate has on 01.03.2016 filed vakalatnama and memo of appearance on behalf of Respondent No. 4 and has on 29.03.2016 filed Counter Affidavit. Counter Affidavit included in the Paper Books. Counsel for the Petitioner has on 01.04.2016 filed a Rejoinder Affidavit along with application for permission to file Additional documents with the permission of Hon'ble Court. (Copy included in the paper Books). Service of Show Cause is complete in respect of Respondent No. 2 by way of Dasti but no one has entered appearance so far.

It is submitted that Secretary, Ministry of Human Resource Development has been impleaded as party Respondent No. 5 vide this Hon'ble Court's order dated

04.04.2016. Mr. G.S Makkar, Advocate has on 27.04.2016 filed vakalatnama and memo of appearance on behalf of Respondent No. 5. He has on 08.08.2016 filed short Counter Affidavit on behalf of Respondent No. 5. (Copy of the same has been included in the Paper Books.). Counsel for the Petitioner has on 11.02.2016 filed an application for Interim relief. The said application is registered as I.A No. 2 (Copy included in Paper Books).

The matter above mentioned was lastly listed before the Hon'ble Court on 06.12.2016, when the Court was pleased to pass the following Order:

“Heard learned counsel for the parties at some length.

Mr. Salman Khurshid, learned Senior Counsel appearing on behalf of the Vice Chancellor and Mr. Raju Ramachandran, learned senior counsel for the Aligarh Muslim University (AMU) point out that the University claims to be a minority institution which claim is being examined by a Bench of three Judges of this Court in Civil Appeal No. 2286 of 2006 @ SLP(C)No. 6783 of 2006 titled as Aligarh Muslim Univeristy Vs. Naresh Agarwal & Ors. They argue that some of the questions that arise for determination in these proceedings may have to await the pronouncement of this Court on the question of the AMU being a minority institution.

Alternatively, they submit that these matters should also be directed to be listed for hearing along with Civil Appeal No. 2286 of 2006 mentioned above to avoid any conflict in findings of this Court. We find merit in the submissions and we direct that the matter shall be listed along with Civil Appeal No. 2286 of 2006 for hearing before a Bench of Three Judges on 10th January, 2017.”

It is submitted that Counsel for the Petitioner has on 23.01.2017 filed an application for direction. The same has been registered as I.A.No. 4. (Copy included in the paper books).

It is further submitted that Notice of hearing to Mr. Mukul Rohtagi, Ld. Attorney General regarding listing of application on 13.02.2017 has been issued on 03.02.2017.

Service of Notice on the SLP is complete.

The application(I.A.No. 4) above-mentioned is listed before the Hon'ble Court with this office report.

Dated this the 09th day of February, 2017.

ASSISTANT REGISTRAR

Copy to:

Mr. Prashant Bhushan, Advocate

Mr. Prem Prakash, Advocate

Mr. Anup Kumar, Advocate

Mr. R.P Goyal, Advocate

Mr. G.S Makker, Advocate

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