

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

Petition(s) for Special Leave to Appeal (C) No(s).
19807-19808/2012

(Arising out of impugned final judgment and order dated 26/02/2010
in WPC No. 3848/2010,15/03/2012 in RP No. 58/2012 passed by the
High Court Of Orissa At Cuttack)

ORISSA LIFT IRRIGATION CORP.LTD.& ORS.

Petitioner(s)

VERSUS

RABI SANKAR PATRO AND ORS

Respondent(s)

(With application for c/delay in filing SLP , impleadment,
permission to file additional documents and interim relief and
office report)

(For final disposal)

WITH

SLP(C) No. 35793-35796/2012

(Directions and impleadment and impleadment as party respondent and
permission to file additional documents and interim relief and
office report)

SLP(C) No. 37028/2012

(Permission to file additional documents and interim relief and
office report)

SLP(C) No. 37957/2012

(Impleadment as party respondent and impleadment as petitioner and
intervention and permission to appear and argue in person and
permission to file additional documents and interim relief and
office report)

SLP(C) No. 38211/2012

(Deletion of proforma respondents and impleadment and impleadment
as party respondent and permission to appear and argue in person
and interim relief and office report)

SLP(C) No. 38220/2012

(With Interim Relief and Office Report)

SLP(C) No. 38230/2012

(With Interim Relief and Office Report)

SLP(C) No. 38458/2012

(With Interim Relief and Office Report)

SLP(C) No. 38846/2012

(Withdrawal of SLP)

SLP(C) No. 4108/2013
(Exemption from filing c/c of the impugned judgment and permission to file additional documents and interim relief and office report)

SLP(C) No. 9495/2013
(Permission to place additional documents on record and interim relief and office report)

SLP(C) No. 11799/2013
(With appln.(s) for stay and appln.(s) for c/delay in filing SLP and Interim Relief and Office Report)

SLP(C) No. 12244/2013
(Ex parte stay and directions and permission to file additional documents and pleding additional facts and taking on record additional documents and interim relief and office report)

SLP(C) No. 14933/2013
(With Interim Relief and Office Report)

SLP(C) No. 15283/2013
(With Interim Relief and Office Report)

SLP(C) No. 15329/2013
(With Interim Relief and Office Report)

SLP(C) No. 17003/2013
(With appln.(s) for impleadment and Interim Relief)

SLP(C) No. 17004/2013
(With Interim Relief)

SLP(C) No. 17005/2013
(With Interim Relief)

SLP(C) No. 17006/2013
(With Interim Relief)

SLP(C) No. 17416/2013
(Permission to file additional documents and interim relief and office report)

SLP(C) No. 20658-20682/2013
(Permission to file additional documents and interim relief and office report)

SLP(C) No. 36487/2013
(Modification / clarification and stay and office report)

SLP(C) No. 14686/2014
(Deletion of proforma respondents and interim relief and office report)

SLP(C) No. 19834-19835/2012
(C/delay in filing SLP and office report)

SLP(C) No. 19820-19821/2012
(C/delay in filing SLP and office report)

SLP(C) No. 19812-19813/2012
(C/delay in filing SLP and office report)

SLP(C) No. 19838-19839/2012
(C/delay in filing SLP and office report)

SLP(C) No. 19836-19837/2012
(C/delay in filing SLP and office report)

SLP(C) No. 19840-19841/2012
(C/delay in filing SLP and office report)

SLP(C) No. 19830-19831/2012
(C/delay in filing SLP and office report)

SLP(C) No. 19842-19843/2012
(C/delay in filing SLP and office report)

SLP(C) No. 19851-19852/2012
(C/delay in filing SLP and office report)

SLP(C) No. 19848-19849/2012
(C/delay in filing SLP and office report)

SLP(C) No. 19824-19825/2012
(C/delay in filing SLP and office report)

SLP(C) No. 19844-19845/2012
(C/delay in filing SLP and office report)

SLP(C) No. 19826-19827/2012
(C/delay in filing SLP and office report)

SLP(C) No. 19814-19815/2012
(C/delay in filing SLP and office report)

SLP(C) No. 19828-19829/2012
(C/delay in filing SLP and office report)

SLP(C) No. 31487-31494/2014
(C/delay in filing SLP and interim relief and office report)

SLP(C) No. 11793-11794/2013
(With appln.(s) for c/delay in filing SLP and seeking permission to bring additional facts and appln.(s) for stay and Interim Relief and Office Report)

Date : 04/08/2015

These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s)
19807-19808/12

Mr. Raju Ramachandran, Sr. Adv.
Ms. C. K. Sucharita, Adv.
Mr. M. Vijay Kumar, Adv.
Mr. Vikram A. Narayan, Adv.

14933/13

Mr. Ashok K. Mahajan, Adv.

Mr. R. C. Kaushik, Adv.

38220/12

Mr. Ranjan Kumar Pandey, Adv.

9495/13 & 14686/14

Mr. Jasbir Singh Malik, Adv.
Mr. Nayan Nepal, Adv.
Ms. Usha Nandini. V, Adv.

4108/13

Ms. Jyoti Mendiratta, Adv.

12244/13 & 20658-82/13

Mr. Dhruv Pal, Adv.
Ms. Eliza Bar, Adv.
Mr. Shree Pal Singh, Adv.

15283/13

Mr. Sanjay Jain, Adv.
Mrs. Kamaldeep Gulati, Adv.

17416/13

Ms. Medi Yadaiah, Adv.
Mr. Venkateswara Rao Anumolu, Adv.

Mr. Ajay Kapur, Sr. Adv.
Mr. Prabhakar Parnam, Adv.
Mr. Goli Rama Krishna, Adv.
Mr. Venkateswara Rao Anumolu, Adv.

36487/13

Mr. Anil Kumar Tandale, Adv.

14686/14

Mr. S. K. Sabharwal, Adv.

31487-31494/14

Mr. Brijender Chahar, Sr. Adv.
Mr. Shashi Bhushan, Adv.
Ms. Jyoti Chahar, Adv.
Mr. Vinay Garg, Adv.

For Respondent(s)
19807-808/12

Mr. Amitesh Kumar, Adv.
Mr. Shashank Shekhar Singh, Adv.
Mr. Gopal Singh, Adv.

35793-96/12	Mr. Rajat Sharma, Adv. Mr. Dinesh Verma, Adv. Mr. Subhasish Bhowmick, Adv.
38211/12	Mr. B.A. Khan, Sr. Adv. Mr. Ashwini K. Matta, Sr. Adv. Mr. Deepak Kanwar, Adv. Mr. Ranjan K. Pandey, Adv. Mr. Sudhir Kumar, Adv. Mr. Charit Mohan, Adv. Mr. Sudarshan Singh Rawat, Adv.
19807-808/12	Mr. Colin Gonsalves, Sr. Adv. Mr. Umesh Mohanty, Adv. Mr. P.K. Pett., Adv. Mr. Gaurav Kumar, Adv. Mr. Anil Kumar Tandale, Adv.
37957/12	Mr. B.A. Khan, Sr. Adv. Mr. Himanshu Upadhyay, Adv. Mr. Arvind Minocha, Adv.
19807-808/12	Mr. Rajiv Dutta, Sr. Adv. Mr. Apoorv Kurup, Adv. Mr. Vikas Singh Jangra, Adv. Mr. V.C. Shukla, Adv.
19807-808/12	Mr. Himanshu Gupta, Adv. Mr. A.K. Tandale, Adv.
37028/12	Mr. Anuj Aggarwal, Adv. Mr. Pawan Kishore Singh, Adv. Mr. Rajesh Kumar Das, Adv. Ms. Madhusmita Bora, Adv.
11799/13 & 14933/13	Mr. Sanchar Anand, AAG Mr. Apoorv Singhal, Adv. Mr. Jagjit Singh Chhabra, Adv.
38220/12	Mr. A.K. Chopra, Sr. Adv. Mr. P. N. Puri, Adv. Mr. Abhishek Puri, Adv. Mrs. Reeta Dewan Puri, Adv.
15283/13, 15329/13 & 11793-794/13	Mr. Sanchar Anand, AAG Mr. Apoorv Singhal, Adv. Mr. Kuldip Singh, Adv.

12244/13	Mr. Kamal Mohan Gupta, Adv.
38220/12	Ms. Anubha Agrawal, Adv.
35793-94/12	Mr. J.K. Sud, AAG Mr. Kuldip Singh, Adv.
17416/13	Mr. Guntur Prabhakar, Adv. Ms. Prerna Singh, Adv.
14686/14	Mr. Mritunjay Kumar Sinha, Adv.
19834-19835/12	Mr. Kedar Nath Tripathy, Adv.
19836-19837/12	Mr. Nilotpall Sharma, Adv. Mr. Awanish Sinha, Adv.
31487-31494/14	Mr. Sanjay Kumar Visen, Adv.
37957/12 & 20658-92/13	Mr. G. Umapathy, Adv. Ms. R. Mekhala, Adv. Mr. Rakesh K. Sharma, Adv.
17416/13 & 19807-808/12	Mr. K. Maruthi Rao, Adv. Mr. K. Radha, Adv. Mr. Anjani Aiyagari, Adv.
15283/13 & 15329/13	Mr. Kamaldeep Gulati, Adv. Mr. Sanjay Jain, Adv.
11793-11794/13	Mr. Sanjay Jain, Adv. Mr. Rauf Rahim, Adv.
17416/13	Mr. G.N. Reddy, Adv. Mr. G. Nageshwar, Adv.
38220/12	Mr. Arun Bhardwaj, AAG Mr. Ashwani Upadhyay, Adv. Ms. Kiran Ahlawat, Adv. Mr. Ronak Karanpuria, Adv.
For Intervenor (37957/12)	Mr. Santosh Kumar, Adv.
For Applicant in I.A. Nos. 15-18 In 35793-96/12	Mr. Gagan Gupta, Adv.
19807-808/12 35793-35796/12	Mr. Ashok Kumar Juneja, Adv. Mr. Chand Qureshi, Adv. Ms. B. Sunita Rao, Adv.

4108/13

Mr. N.M. Popli, Adv.
Ms. B. Sunita Rao, Adv.

35793-35796/12

Mr. A.V. Rangam, Adv.
Mr. Buddy A. Ram G., Adv.
Mr. D.V. Raghuvamsy, Adv.

For Impleaded Applicant
19-22 in 35793-96/12

Mr. Chandra Prakash, Adv.
Mr. Rituraj Biswas, Adv.
Ms. Sujaya Bardhan, Adv.

Mr. D. Bharthi Reddy, Adv.

Ms. Kamini Jaiswal, Adv.

Mr. S.L. Aneja, Adv.

Mr. Balaji Srinivasan, Adv.

Mr. Satyendra Kumar, Adv.

Mr. T. Mahipal, Adv.

Mr. Arjun Harkauli, Adv.

Mr. C.S. N. Mohan Rao, Adv.

UPON hearing the counsel the Court made the following

O R D E R

There are a large number of cases pending on the principal issue raised in SLP (C) Nos. 19807-19808 of 2012 (Orissa Lift Irrigation Corporation Ltd. & Ors.). Mr. Raju Ramchandran, learned senior counsel appearing on behalf of the petitioners submits that the principal issue is whether degrees given by some institutions / universities through distant education ought to be recognized by the employer. He submits that All India Council for Technical Education (AICTE) and University Grants Commission (UGC) have taken the stand that such

degrees in technical courses are not recognized by AICTE and therefore not recognized by UGC as well.

Mr. Rajiv Dutta, learned senior counsel appearing for UGC affirms that the UGC does not recognize the degrees. It is the submission of Mr. Rajiv Dutta, learned senior counsel that in a meeting convened by the Ministry of Human Resource Development (MHRD) on 19th February, 2008 it was decided that the approval granted by Distant Education Council (including ex post facto) must be reviewed and the approval should be granted to the courses and not to the Institute.

That being the position, we are of the opinion that the concerned Secretary in the MHRD should be impleaded as a party so that the stand of the Government of India is clear.

Mr. Raju Ramchandran, learned senior counsel makes an oral request for impleadment of the concerned Secretary in the MHRD as a party respondent. On his oral request, the concerned Secretary in the MHRD is impleaded as a party respondent. Amended memo of parties be filed within two weeks.

Notice may be issued to the newly added respondent returnable in four weeks. It should be stated in the notice that the counter affidavit should be filed by the said MHRD at the earliest so that there is no further delay in the disposal of this batch of cases.

Needless to say, the stand that has been taken by

learned senior counsel for the petitioners and learned senior counsel for the AICTE and UGC and is opposed by learned counsel for the universities / institutions.

We are also of the opinion that these special leave petitions (SLP (C) Nos. 19807-19808 of 2012) may be taken up as the main case and in the event any learned counsel wishes to file any written submissions, it may be done in this case only so that there is no multiplicity of pleadings in multiple cases.

The matters be listed after pleadings are complete in the main special leave petitions (Orissa Lift Irrigation Corporation Limited & Others).

Mr. Raju Ramchandran, learned senior counsel clarifies that in the event the degree is recognized, the issue of promotions and violation of the quota rule may also arise. The principal question that we have referred to above arises in all the cases and that is the reason why these special leave petitions (SLP (C) Nos. 19807-19808 of 2012) have been treated as the main case. Other cases will be dealt with separately depending on their facts.

(Meenakshi Kohli)
COURT MASTER

(Jaswinder Kaur)
COURT MASTER