

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.13633/2000

(From the judgement and order dated 02/12/1999 in WP 1810/99
of The HIGH COURT OF BOMBAY)

UNIVERSITY GRANT COMMISSION

Petitioner (s)

VERSUS

BIJOY OOMMEN & ORS.

Respondent (s)

(With prayer for interim relief)

Date : 08/12/2000 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.P. MISRA
HON'BLE MR. JUSTICE DORAISWAMY RAJU

For Petitioner (s) Mr. Amitshesh Kumar,Adv.
Mr. Lakshmi Raman Singh,Adv.

For Respondent (s) Ms. Aparna Bhat,Adv.

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

L.....L.....I.....T.....T.....T.....T.....T.....J
.SP2

Leave granted.
The appeal is allowed. Costs on the parties.

.SP1

(Ganga Thakur) (V.P. Tyagi)
P.S.to Registrar Court Master

Signed order is placed on the file.

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.PL55

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.....of 2000@@
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(Arising out of SLP(C) No.13633/2000)

University Grant Commission

... Appellant

-Versus-

Bijoy Oommen & Ors.

... Respondents

O R D E R

L.....L.....I.....T.....T.....T.....T.....T.....T.....J
.SP2

Leave granted.

Heard learned counsel for the parties.

The main ground submitted by the appellant is that the advertisement is very clear which gives the minimum eligibility marks to be 55% excluding the grace marks. It is not in dispute in the present case that the respondent in whose favour the writ petition was allowed by the High Court has secured 55% marks with 4 grace marks. In view of that the minimum eligibility is not there so far as the contesting respondent is concerned. The High Court fell into error in allowing the writ petition without properly advertng to the advertisement which specified the minimum eligibility condition.

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:2:

Accordingly, we set aside the order of the High Court. The writ petition of the contesting respondent is dismissed.

The appeal is allowed. Costs on the parties.

.SP1

.....J.
(A.P. Misra)

New Delhi,
December 8 ,2000.

.....J.
(Doraiswamy Raju)