

SLP(C)No. 19219-19226 OF 2003  
ITEM No.22 and  
ITEM No. 45

Court No. 1

SECTION XIIA

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.19219-19226/2003  
(From the judgement and order dated 21/04/2003 in WA 716, 717,  
718 , 719, 827, 829, 841 and 1075 of 1999 of The HIGH COURT OF  
A.P AT HYDERABAD)

A.P. STATE COOP.BANK LTD. AND ANR.

Petitioner (s)

VERSUS

S. SUDHAKRA RAO AND ORS.

Respondent (s)

(With prayer for interim relief)

(with IAs 1-8 & 9-16 for permission to urge addl. grounds and permission  
to file addl. documents)

and Item No. 45

SLP(C)...CC 9391/2003 (K. Nagamalleswara Rao & Ors. vs. A.P. Coop.  
Central Bank Emps. Asson. & Ors.) (with appln.(s) for c/delay in filing  
SLP) and

SLP(C)Nos.19331-19333/2003 (A.P. State Cooperative Bank Ltd. vs. N.  
Udayabhaskaram & Ors.) (with prayer for interim relief & permission  
to file addl. documents)

Date : 31/10/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE S.B. SINHA

For Petitioner (s)  
in SLP 19219-226Mr. P P Rao, Sr. Adv.  
& 19331-333Mrs.B.Sunita Rao,Adv.  
Mr. Sushil Kumar Pathak, Adv.

in CC 9391Mr. I Venkata Narayana, Sr. Adv.  
Mr. T N Rao, Adv.  
Mr. A Ramesh, Adv.

For Respondent (s)/Mr. V R Reddy, Sr. Adv.  
Caveator(s)Mr. V.G. Pragasam,Adv.  
Mr. G N Reddy, Adv.

UPON hearing counsel the Court made the following  
ORDER

We have heard Shri P P Rao and Shri I. Venkata Narayana, learned senior counsel appearing for  
the petitioners and Shri V R Reddy, learned senior counsel appearing, on caveat, for some of t  
he respondents.

Delay condoned in SLP(C) No. ....CC9391/2003.

We uphold the view taken by the High Court that the Selection Committee was not legally compet  
ent to lay down the eligibility criteria and qualification. It can only be prescribed by the  
appointing authority. As a matter of law, the eligibility criteria and the qualifications fo  
r filling up the vacancies, after clubbing them, have to be prescribed in the manner provided

in the regulations to be framed under the Act wherein regulations-making authority can provide for a cut-off date after clubbing all the vacancies available on that day. Further, any observations made by the High Court to the contrary shall not come in the way of the Registrar Co-op. Societies to frame regulations on the subject. However, any promotions made would be provisional and shall continue till fresh selection takes place. Such provisional promotion would not give any weightage in the matter of selection to be held subsequently. With these observations, the special leave petitions are dismissed.

(D.P. WALIA)  
COURT MASTER

(JANKI BHATIA)  
COURT MASTER