

C.A.No. 2233 OF 1998

Item No.109

COURT No. 7

SEC.XIA

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

C.A. No. 2233/1998 @@  
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P. Ramakrishna Iyer Appellant (s)

VERSUS

K. Haridasan Pillai & Ors. Respondent(s)

(With Office Report)

WITH C.A. 2234/1998@@  
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Date : 25.09.2001 This appeal was called on for hearing today.@@  
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CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU  
HON'BLE MR. JUSTICE DORAISWAMY RAJU

For Appellant (s) M/s. S. Prasad, Abhay Kumar and S.N.Jha,Adv.

For Respondent No.1 Mr. K.V. Mohan,Adv.

For R-2 Mr. Sudarsh Menon,Adv.

For R-4-7 Mr. S.R.Setia,Adv.

UPON hearing counsel the Court made the following

O R D E R

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

The appeals stand dismissed.

.SP1

(Y.P.Dhamija) (Om Prakash)  
Court Master Court Master

Signed order is placed on the file.

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L.....T.....T.....T.....T.....T.....T.....T.....T.....T.....R  
.PL58

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2233/1998@@  
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P. Ramakrishna Iyer .....Appellant(s)

Vs.

K. Haridasan Pillai & Ors. ....Respondent(s)

WITH C.A. No. 2234/1998@@  
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O R D E R@@  
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.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J  
.SP2

The appeals pertain to appointment of a Principal in the establishment of respondent No.2. The respondent No.1 had been selected as a Principal of the College, and the same was challenged before the University Appellate Tribunal, and the said appointment was set aside on the ground that the 1st respondent was not eligible at the time of selection. The matter was carried to the High Court by way of a Writ Petition. The Writ Petition was dismissed. Thereafter, a Writ Appeal was preferred. In the Writ Appeal after considering the entire matter, the Division Bench made the following order:

.....L.....T.....T.....T.....J.....  
.SP1

"The matter is remitted back to the management for a de novo selection. The appellant, the respondent and those who were qualified as Senior Lecturer/Selection Grade Lecturer as on 12.12.1992 as per the University Regulations will also be called for selection. The management will formulate the guidelines for the selection of Principal. If the management does not

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provide the guidelines, the Selection Committee should lay the guidelines for selection before the actual selection is made. The Selection Committee should record the assessment made by it with regard to each candidate and this should be reduced in writing. The experience gained by the appellant as Principal from the date of Ext.P3 order shall not be

taken into consideration. The management will ensure that the members who were in the Selection Committee when the selection was made on 23.12.1992 are not retained in the Selection Committee. The fresh selection should be made within a period of two months from today. The status quo as on today will continue till a fresh selection is made."

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

The order made by the High Court is just and proper, particularly when it takes into consideration all aspects of the matter, and it indicates that the guidelines will have to be indicated either by the management or by the selection committee well before the actual selection is made and thereafter the selection will have to be made. In that view of the matter, the order under appeal does not call for our interference.

The appeals stand dismissed.

.SP1

.....J.  
(S. RAJENDRA BABU)@@  
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New Delhi, .....J.@@  
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September 25, 2001 (DORAISWAMY RAJU)@@  
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