

Heard learned counsel for the parties.

Leave granted.

This appeal has been filed against the interim order dated 30.08.2007 of the High Court of Judicature at Allahabad Bench at Lucknow whereby the learned Division Bench has, during the pendency of the writ petition before it, directed the appellant herein to issue appointment letter to respondent No. 1 for the post of Professor Electrical Engineering, H.B.T.I., Kanpur within two weeks from the date a certified copy of the order is produced.

We are surprised to note that by the aforesaid interim order the learned Division Bench has virtually granted final relief. It is well settled that by an interim order the final relief should not be granted. Hence, we set aside the impugned order and allow this appeal and request the Division Bench of the High Court to dispose of the writ petition itself, as far as practicable, within a period of four months from the date a copy of this order is produced before it. We make it clear that the High Court shall decide the writ petition uninfluenced by any observation made by us in our order.

Appeal allowed. No order as to the costs.

.....J.
(MARKANDEY KATJU)

.....J.
(ASOK KUMAR GANGULY)

NEW DELHI;
AUGUST 17, 2009