

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(s).705/2010

(From the judgement and order dated 10/12/2009 in SAD No. 1300/2009  
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

COMMITTEE OF MANAGMT., V.D.COLLEGE & ANR.. Petitioner(s)

VERSUS

KAMLA SHANKAR & ORS. Respondent(s)

(With prayer for interim relief and office report)

Date: 15/01/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr. P. Narshiman, Sr. Adv.  
Mr. C.D. Singh, Adv.  
Mr. Sunny Chaudhary, Adv.  
Mr. Aditya Singh, Adv.  
Mr. Shashank, Adv.

For Respondent(s)

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

Heard learned counsel for the petitioner.

The petitioner-college had admitted students more than the sanctioned strength and this was agitated. Earlier a learned Single Judge of the High Court of Allahabad has decided that the petitioner-college is bound to return the fees collected from the students along with compensation in the tune of Rs.25,000/-(Twenty five thousand) each. According to the petitioner this order was

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modified by the Division Bench of the High Court in an appeal preferred by the petitioner-college and the matter was remitted to the learned Single Judge. The petitioner alleges that when the matter was again considered by a different learned Single Judge, he took a different view and held that the earlier Single Judge's Order was not varied by the Division Bench. Then again the petitioner filed an appeal which came before the Division Bench and impugned

order was passed. It appears that these contentions were not raised before the Division Bench of the High Court. As regards deposit of the amount as directed in the order of the Single Judge, there shall be a status quo as on today and matter is remitted to the High Court and the Division Bench is requested the appeal preferred by the petitioners be reconsidered again and disposed of.

The special leave petition is disposed of accordingly.

(R.K Dhawan)  
Court Master

(Veera Verma)  
Court Master