

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 25TH DAY OF MARCH 2015/4TH CHAITHRA, 1937

RP.No. 301 of 2015

WP(C) 256951/2013, DATED 07-03-2014

PETITIONER/PETITIONER:

**DR. ABDUL RASHEED K.M.
REGISTRAR (UNDER SUSPENSION),
CENTRAL UNIVERSITY OF KERALA
KASARAGOD (RESIDING AT KADIYARAKATH
P.O.FAROOK COLLEGE, CALICUT, PIN-673632 KERALA).**

**BY ADVS.SRI.R.SUDHISH
SMT.M.MANJU
SMT.B.PREETHA**

RESPONDENTS/RESPONDENTS:

- 1. GOVERNMENT OF INDIA
DEPARTMENT OF HIGHER EDUCATION,
MINISTRY OF HUMAN RESOURCES DEVELOPMENT,
SHASTRI BHAVAN, NEW DELHI-110115,
REPRESENTED BY THE JOINT SECRETARY,
SRI. ANANT KUMAR SINGH.**
- 2. THE CENTRAL UNIVERSITY OF KERALA,
NAYANMARMOOLA, VIDHYANAGAR P.O., KASARAGOD,
PIN-673123, REPRESENTED BY ITS REGISTRAR.**
- 3. THE VICE CHANCELLOR
THE CENTRAL UNIVERSITY OF KERALA, NAYANMARMOOLA
VIDHYANAGAR P.O., KASARGOD, PIN-671123.**
- 4. THE VISITOR
CENTRAL UNIVERSITY OF KERALA, RASHTRAPATHI BHAVAN
NEW DELHI-110001.**

**R1 BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
R2-4 BY SRI.V.SAJITH KUMAR, SC,**

**THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 25-03-2015,
ALONG RP.NO.303/2015 THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

RPNo. 301 of 2015

APPENDIX

PETITIONERS' ANNEXURES

ANNEXURE A1: COPY OF THE LETTER DATED 11/11/14 ISSUED BY THE R1

**ANNEXURE A2: COPY OF THE EMPLOYMENT NOTIFICATION NO.NT-1/2014 DATED
15/1/15**

RESPONDENTS' ANNEXURE

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V.RAMAKRISHNA PILLAI, J.

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R.P No.301 of 2015 in W.P(C) No.25651 of 2013

&

R.P No.303 of 2015 in W.P(C) No.21883 of 2013

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Dated this the 25th day of March, 2015

JUDGMENT

The common judgment dated 7.3.2014 in W.P(C) Nos.25651 of 2013 and 21883 of 2013 is under challenge in this review petitions.

2. W.P(C) No.21883 of 2013 was filed by the petitioner challenging the order of his suspension from the post of Registrar of Central University. W.P(C) No.25651 of 2013 was filed challenging the order of removal of the petitioner from the said post. Both the writ petitions were heard by this Court and they were disposed of holding that the removal of the petitioner from the post of Registrar was illegal. Accordingly, Ext.P16 was quashed.

3. However, by the time when the judgment was pronounced, the term of appointment of the petitioner was over. These review petitions are filed by the petitioner alleging that the respondent university has declined to reappointment him in the said post. At appears from record that respondents 1 and 3 had filed a writ

appeal against the judgment which was withdrawn subsequently. Pending the writ appeal, the petitioner submitted representation seeking reinstatement for the balance period of eight months since vacancy was kept vacant.

4. As the term of appointment of the petitioner was over by the disposal of the writ petitions, the question whether he has to be reappointed or not is a matter which comes within the discretion of the respondent university. It is an entirely different cause of action. As there is no apparent error on the face of record, the relief sought for in the review petitions cannot be allowed.

5. It is also pertinent to note that both the review petitions were filed after a long delay. Therefore, the petitioner is not entitled to get the reliefs prayed for.

In the result, the review petitions fail and accordingly, they are dismissed.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

krj