

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE ANTONY DOMINIC
&
THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

FRIDAY, THE 17TH DAY OF JULY 2015/26TH ASHADHA, 1937

W.No. 1535 of 2015 IN WP(C).21020/2015

AGAINST THE ORDER IN WP(C) 21020/2015 of HIGH COURT OF KERALA DATED 13-07-2015

APPELLANTS/RESPONDENTS 1 TO 4 IN THE WRIT PETITION:

1. SANKARACHARYA UNIVERSITY OF SANSKRIT
REPRESENTED BY ITS REGISTRAR, KALADY.
2. THE SYNDICATE
SREE SANKARACHARYA UNIVERSITY OF SANSKRIT, KALADY.
3. THE VICE CHANCELLOR
SREE SANKARACHARYA UNIVERSITY OF SANSKRIT, KALADY.
4. THE REGISTRAR
SREE SANKARACHARYA UNIVERSITY OF SANSKRIT, KALADY.

BY ADVS.SRI.P.RAVINDRAN (SR.)
SRI.ARUN B.VARGHESE,SC, SREE SANKARACHARYA UTY.

RESPONDENTS/WRIT PETITIONER AND 5TH RESPONDENT:

1. SRI.SATHEESH KUMAR K.A
LECTURER (NON UGC)
UNDER ORDERS OF REMOVAL DEPARTMENT OF PAINTING
SREE SANKARACHARYA UNIVERSITY OF SANSKRIT, KALADY
ERNAKULAM.
2. SHRI.SUNDARAM GOVIND,
DISTRICT JUDGE (RETD), MANU MAYA, EAST KADUNGALLOOR
ALUVA-683 102.

R BY SRI.N.KRISHNA PRASAD

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 17-07-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC & SHAJI P.CHALY, JJ.

Writ Appeal No.1535 of 2015

Dated this the 17th day of July, 2015

JUDGMENT

Antony Dominic, J.

This writ appeal is filed by respondents 1 to 4 in W.P.(C)21020/15. The writ petition was filed by the first respondent herein in which the learned Single Judge passed order dated 13th July 2015 granting the interim order sought by the first respondent to stay Exts.P15 and P16 so as to enable him to continue in the service of the first appellant University.

2. We heard the senior counsel for the appellants and the learned senior counsel appearing for the first respondent.

3. Although various contentions on the merits of the controversy were raised before us, having regard to the fact that the order in question is only an interim order, we do not think it proper to deal with any of those contentions at this stage since the same can have impact on the final disposal of the writ petition itself. However, we noticed that by Ext.P16 order dated 19.6.2015 the first respondent was removed from the service of the University and it was only long after the said order came into effect, that the impugned order dated 13th July 2015 enabling him to continue in

service was passed by the learned Single Judge. In other words, by the said order, the first respondent has obtained an order in the nature of the final one which he could have aspired for in the writ petition. In our view, proper course would have been to expedite the disposal of the writ petition itself.

In such circumstances, writ appeal is disposed of vacating the interim order dated 13th July, 2015 to the extent it granted interim stay as prayed for and leaving it open to the parties to expedite the hearing of the writ petition itself.

Sd/-
ANTONY DOMINIC
JUDGE

Sd/-
SHAJI P. CHALY
JUDGE

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