

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 2ND DAY OF FEBRUARY 2015/13TH MAGHA, 1936

WP(C).No. 15453 of 2014 (F)

PETITIONER(S):

1. BISHOP MOORE COLLEGE,
MAVELIKKARA,
REPRESENTED BY ITS MANAGER, RT.REV.THOMAS.K.OOMMEN
CSI BISHOP'S HOUSE, KOTTAYAM.

2. JILS VARGHESE,
ASST.PROFESSOR,
DEPARTMENT OF PHYSICAL EDUCATION BISHOP MOORE COLLEGE,
MAVELIKKARA.

BY ADVS.SRI.BABU VARGHESE (SR.)
SRI.V.NARAYANA SWAMI

RESPONDENT(S):

1. UNIVERSITY OF KERALA,
REPRESENTED BY ITS REGISTRAR,
UNIVERSITY OF KERALA CAMPUS,
THIRUVANANTHAPURAM - 6956 034.

2. THE STATE OF KERALA,
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT
HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM -695 001.

3. THE DIRECTOR OF COLLEGIATE EDUCATION,
VIKAS BHAVAN, PMG JUNCTION,
THIRUVANANTHAPURAM -695 033.

4. THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION
KOLLAM 691 001.

R1 BY ADV. SRI.BECHU KURIAN THOMAS, SC, UNIVERSITY OF KERALA
R2 & 4 BY ADV. GOVT. PLEADER SMT.LILLY LESLIE
R BY SRI.GEORGE POONTHOTTAM, SC, KERALA UTI.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
02-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 15453 of 2014 (F)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P-1: TRUE COPY OF THE NOTIFICATION WHICH APPEARED IN THE
MATHRUBHUMI DAILY DATED 12.9.2012
EXT.P-2: TRUE COPY OF THE STAFF FIXATION STATEMENT ISSUED VIDE
ORDER DATED 18.10.2012
EXT.P-3: TRUE COPY OF THE LETTER DATED 26.11.2012 SENT BY THE
PRINCIPAL OF THE FIRST PETITIONER'S COLLEGE TO THE SECOND RESPONDENT
EXT.P-3(A): TRUE COPY OF THE GOVERNMENT LETTER DATED 1.2.2013
EXT.P-4: TRUE COPY OF THE MINUTES OF THE MEETING OF THE SELECTION
COMMITTEE HELD ON 22.2.2013
EXT.P-5: TRUE COPY OF THE UNIVERSITY ORDER DATED 27.8.2013
APPROVING THE APPOINTMENT OF THE SECOND PETITIONER AND ANOTHER
EXT.P-6: TRUE COPY OF LETTER DATED 13.1.2014 OF THE FOURTH
RESPONDENT REJECTING THE SALARY BILL OF THE SECOND PETITIONER
EXT.P-7: TRUE COPY OF THE JUDGEMENT DATED 10.12.2010 IN WPC
NO.30784/2010 AND CONNECTED CASES
EXT.P-8: TRUE COPY OF THE INTERIM ORDER DATED 26.10.1995 IN OP
NO.16572/1995
EXT.P-8(A): TRUE COPY OF THE INTERIM ORDER DATED 27.1.2011 IN WPC
NO.666 OF 2011.

RESPONDENT(S) ' EXHIBITS
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EXT.R2(A): COPY OF LETTER NO.170/D2/12/H/EDN. DATED 18/1/2012.

EXT.R2(B): COPY OF THE LETTER DATED 1/1/2013.

/TRUE COPY/ P.S. TO JUDGE.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.15453 OF 2014

Dated this the 2nd day of February, 2015

JUDGMENT

Read our order dated 18/6/2014.

2. Thereafter, a counter affidavit has been filed by the respondent-University stating that the University has granted approval to the appointment of the 2nd petitioner as Assistant Professor in the Physical Education Department. In view of the fact that the University has also satisfied that there are sufficient work load, I do not find any further relief to be decided in this writ petition.

2. In the light of the interim order dated 18/6/2014 and also in the light of the averments in the counter affidavit of the University, It is made clear that the 2nd petitioner is entitled for salary and other benefits from the University. Arrears, if any due shall be paid to the 2nd petitioner, if it is not paid, within two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-

**A.MUHAMED MUSTAQUE,
Judge.**

dpk

/true copy/ PS to Judge.

