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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Judgment: 27th May, 2019

+ **LPA 374/2019**

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..... Appellant

Through: Mr.P.S.Patwalia, Senior Advocate
with Mr. Simran Mehta and Mr.
Kshitij Mudgal, Advocates

versus

JAMIA HAMDARD (DEEMED UNIVERSTIY) & ORS

.....Respondents

Through: Mr. Sarwar Raza and Mr.S.Ahmad,
Advocates for respondents No.1 & 2
Mr. Arun Bhardwaj, Senior Advocate
with Mr. Shreyans Singhvi and Ms.
Ekta Mehta, Advocates for respondent
No.3

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE JYOTI SINGH

G.S. SISTANI, J. (ORAL)

1. The appellant is aggrieved by the order dated 22nd May, 2019 passed by the learned Single Judge, which has led to the filing of the present appeal. Three reliefs were sought in an application seeking interim relief, which was filed alongwith the writ petition, which are as under: -

a. Pass an ad-interim ex-parte order thereby staying the operation of the impugned notification dated 17.05.2019 issued by the Registrar of Respondent No.1 on behalf of Respondent No.2 which illegally accepts the

recommendation of Respondent No.3 by Respondent'No.2;
AND

b. Pass an ad-interim ex-parte, order thereby restraining the Respondents from holding the 59th meeting of the Finance Committee scheduled for 22.05.2019; AND

c. Pass an ad-interim ex-parte order thereby restraining the Respondents No.2 from acting on the instructions/recommendation of Respondent No.3”

2. While the second relief was declined for the good reasons and was not opposed, Mr. Patwalia, learned senior counsel appearing for the appellant, is however, aggrieved by the learned Single Judge not granting any protection with regard to reliefs ‘A’ and ‘C’.

3. Mr. Arun Bhardwaj, learned senior counsel, on instructions, has entered appearance on behalf of University as also on behalf of respondents No.1, 2 & 4.

4. After obtaining instructions, Mr. Bhardwaj points out that a meeting is fixed today with the following Agendas: -

ITEM NO.	ITEM
1	To approve the Minutes of the 58 th Meeting of the Finance Committee of Jamia Hamdard held on 20/03/2019.
2	To approve the Minutes of the 59 th Meeting of the Finance Committee of Jamia Hamdard held on 22/05/2019.
3	To discuss the status of Hamdard Institute of Medical Sciences & Research (HIMSR) in the light of legal opinion obtained from Hon’ble Justice Aftab Alam, former Judge of Supreme Court of India
4	Any other item(s) with the permission of the chair.

5. Mr. Bhardwaj further submits that as far as Agenda No.1 is concerned, that pertains to approving the Minutes of the 58th Meeting of the Finance Committee held on 20th March, 2019, to which Mr. Patwalia, submits that he would have no objection.
6. Mr. Bhardwaj submits that as far as Agenda Items No.2 & 3 are concerned, the same will be deferred, subject to the condition that an early date may be fixed before the learned Single Judge for hearing the writ petition or at least the stay application.
7. Accordingly, we dispose of this appeal. We request the learned Single Judge to take up the writ petition or at least the application for stay, on 17th July, 2019. In the meanwhile, pleadings in the writ petition shall be completed.
8. The order of 22nd May, 2019 stands varied in the above terms.
9. The order will be communicated to the Board.
10. The respondents shall remain bound by the statement made on their behalf in Court today.
11. The appeal stands disposed of in the above terms.

CM APPLNs.26021-22/2019 and 26067/2019

The applications also stand dismissed as infructuous in view of the order passed in the appeal.

G.S. SISTANI, J

JYOTI SINGH, J

MAY 27, 2019

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