ITEM NO.17 COURT NO.5 SECTION X

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 (C) No(s). 1541/2023

(Arising out of impugned final judgment and order dated 12-12-2022 in WPSB No. 679/2022 passed by the High Court Of Uttarakhand At Nainital)

GURUKULA KANGRI (DEEMED TO BE UNIVERSITY) Petitioner(s)

VERSUS

ROOP KISHORE SHASTRI & ORS. Respondent(s)

(FOR ADMISSION and I.R. and IA No.12115/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.12118/2023-EXEMPTION FROM FILING O.T.)

Date : 06-02-2023 This petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s) Mr. P.H. Parekh, Sr. Adv.
Mr. Aditya Singh, Adv.
Mr. Aakash Sirohi, AOR
Mr. Indra Lal, Adv.

Mr. K.M. Natraj, ASG
Mr. Manoj R. Shine, Adv.
Md. Asif, Adv.

For Respondent(s) Dr. Ajay Veer Pundir, Adv.
Ms. Anu Gupta, AOR
Ms. Debjani Das Purkayastha, Adv.
Mr. Kamal Kant, Adv.

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

The present petition has been filed with a limited grievance that while dismissing the petition filed at the instance of respondent No.1, the High Court has further directed and granted liberty to make a representation to the sponsoring body i.e., Arya

Pratinidhi Sabha of Delhi, Punjab and Haryana with further observation that the body may decide the representation, if any, submitted by the respondent within two months.

For convenience, we quote the substance of the order dated 12.12.2022 with which the petitioner is aggrieved:

> **"However, having regard to the submission made by learned counsel for petitioner that Sponsoring Body, i.e., Arya Pratinidhi Sabha of Delhi, Punjab and Haryana were not consulted before initiating Disciplinary Proceeding, writ petition is disposed of by permitting petitioner to make representation to Sponsoring Body. If petitioner makes such representation, within two weeks from today, decision thereupon shall be taken, as per law, within two months from the date of production of certified copy of this order."**

It is brought to our notice that apart from the disciplinary inquiry initiated by the petitioners, a separate disciplinary inquiry was initiated against respondent No.1 at the instance of the University Grants Commission. After the report of inquiry was submitted by the Inquiry Committee, the respondent has been removed from service of Vice-Chancellor by order dated 29.12.2022.

It is informed that the order dated 29.12.2022 passed by the University Grants Commission regarding his removal from service as Vice Chancellor, is the subject matter of challenge in WPSB No.12 of 2023 before the High Court.

It is also informed that respondent No.1 was earlier working as a Professor before being appointed as Vice-Chancellor and has attained superannuation from the post of Professor.

We have heard learned counsel for the parties. The observation which has been made by the High Court of which reference has been afore-stated loses its significance and is not going to serve any purpose and appears to be Obiter. Even if the representation is made over, the liberty granted by the High Court is not at all going to serve any purpose of respondent No.1.

Consequently, no further orders are required to be passed in the Special Leave Petition.

The Special Leave Petition is disposed of in the above terms accordingly.

Pending applications, if any, shall stand disposed of.

(INDU MARWAH)
COURT MASTER (SH)

(VIRENDER SINGH)
BRANCH OFFICER