

ITEM NO.43

COURT NO.3

SECTION XI

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). 10039/2019

(Arising out of impugned final judgment and order dated 30-10-2018 in SPLA No. 1090/2018 passed by the High Court Of Judicature At Allahabad)

SANJEEV MOHAN GUPTA

Petitioner(s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

(IA No. 56199/2019 - EXEMPTION FROM FILING O.T.)

Date : 26-02-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s)

Mr. Rohit Amit Sthalekar, AOR
Mr. Purnendu Bajpai, Adv.
Mr. Shashank Singh, Adv.
Mr. Ashish Choudhury, Adv.

For Respondent(s)

Ms. Sakshi Kakkar, AOR
Mr. R Karthik, Adv.

Mr. Sahil Bhalaik, AOR
Mr. Tushar Giri, Adv.
Ms. Gulshan Jahan, Adv.
Mr. Siddharth Anil Khanna, Adv.

Ms. Suman Kukrety, AOR

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

1. Perusal of the order passed by the High court dated 07th February, 2017 would reveal that the Standing Counsel for the State has made the following statement:

“....Learned Standing Counsel, appearing for the respondents would not dispute that the fifth respondent proceeded to conduct the election of the Institution on the list of electoral college which does not pertain to the Institution as contemplated under the Scheme of administration. He would, therefore, submit that a fresh notification shall be issued inviting objection on the members constituting electoral college of the Institution i.e. 268 members....”

2. A perusal of the communication dated 01st August, 2017 from the Director of Education would reveal that the elections have been conducted on the basis of list of 511 members which was approved on 22nd November, 2016.

3. In that view of the matter, the State would file an affidavit pointing out as to whether as per statement of the Director of Education recorded on 27th February, 2017 a fresh list of members constituting the electoral college has been notified or not within three weeks from today.

4. List this matter after three weeks.

(DEEPAK SINGH)
COURT MASTER (SH)

(ANJU KAPOOR)
COURT MASTER (NSH)