

ITEM NO.6 Court 5 (Video Conferencing)

REVISED (APPEARANCE)
SECTION XI-AS U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SPetition(s) for Special Leave to Appeal (C) No(s). 21108-
21109/2021(Arising out of impugned final judgment and order dated 02-08-2021
in WA No. 514/2021 24-09-2021 in RP No. 634/2021 passed by the High
Court Of Kerala At Ernakulam)

PROFESSOR (DR) SREEJITH P.S

Petitioner(s)

VERSUS

DR. RAJASREE M.S. & ORS.

Respondent(s)

(IA No.168750/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.168751/2021-EXEMPTION FROM FILING O.T. and IA
No.1416/2022-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 14-03-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE B.R. GAVAIFor Petitioner(s) Dr. Amit George, Adv
Mr. Shyam Krishnan, Adv
Mr. Mobashshir Sarwar, Adv.
Mr. Piyo Harold, Adv.
Mr. Amol Acharya, Adv.
Mr. Rayadurgam Bharat, Adv.
Ms. Iram Peerzada, Adv.
Mr. Alim Anvar, Adv.
Mr. Mohammed Sadique TA, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E RThe impugned judgment of the High Court is
based on the law laid down by this Court in *Kalyani
Mathivanan vs. K.V. Jeyaraj & Ors.* reported in
2015(6) SCC 363 in which it was held that UGC

Regulations are not binding unless adopted by the State Government. Learned counsel appearing for the petitioner submitted that this Court in *Gambhirdan K. Gadhvi vs. State of Gujarat* (Writ Petition (Civil) No.1525 of 2019 dated 03.03.2022) held otherwise. Though there is a reference to the judgment of *Kalyani Mathivanan* (supra) at para 3.7 of the *Gambhirdan K. Gadhvi* judgment, there is no discussion about the law laid down therein.

Issue notice returnable in four weeks.

(Geeta Ahuja)
Court Master

(Anand Prakash)
Court Master