

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

&

THE HONOURABLE MR.JUSTICE T.V.ANILKUMAR

FRIDAY, THE 31ST DAY OF JANUARY 2020 / 11TH MAGHA, 1941

RP.No.70 OF 2020 IN WA. 1824/2018

AGAINST THE JUDGMENT DTD 5.11.2019 IN WA 1824/2018 OF
HIGH COURT OF KERALA

REVIEW PETITIONER/APPELLANT:

CENTRE FOR PROFESSIONAL AND ADVANCE D STUDIES
SCHOOL OF MEDICAL EDUCATION,GANDHI NAGAR,
KOTTAYAM-686008,REPRESENTED BY ITS DIRECTOR.

BY ADV. SRI.P.C.SASIDHARAN

RESPONDENTS/RESPONDENTS:

- 1 DR. K. SREEKRISHNA KUMAR
REGIONAL DIRECTOR,
SCHOOL OF TECHNOLOGY AND APPLIED SCIENCES,
MAHATMA GANDHI UNIVERSITY,
PULLARIKKUNNU CAMPUS,KOTTAYAM-686560.
- 2 THE MAHATMA GANDHI UNIVERSITY.
PRIYADARSHINI HILLS.P.O,
KOTTAYAM-686560,REPRESENTED BY ITS REGISTRAR.

BY ADV.SRI.GEORGE POONTHOTTAM FOR R1
BY ADV.SRI.SURIN GEORGE IPE, SC FOR R2

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
31.01.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Review Petition No.70 of 2020 in
W.A.No.1824 of 2018

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Dated this the 31st day of January, 2020

O R D E R

SHAFFIQUE, J.

Adv.Sri.George Poonthottam, the learned counsel appears for the 1st respondent.

2. Adv.Sri.Surin George Ipe, the learned Standing Counsel appears for the 2nd respondent M.G.University.

3. This review petition has been filed *inter alia* stating that though the appeal was disposed of by entering into a finding that there is no employer-employee relationship between the Society/ review petitioner and the writ petitioner/1st respondent, on the basis of an observation made by this Court that the writ petition could have been allowed based on the judgment dated 3.7.2019 in W.A.No.2394 of 2018, the 1st respondent herein had

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filed a Contempt Case alleging that the direction issued by the learned Single Judge that the writ petitioner should be reinstated with back wages is still in force and has to be complied with by the Society. In fact, we never intended that. It is therefore appropriate that the matter be re-heard on merits. Accordingly, we allow the review petition and the judgment dated 5.11.2019 in W.A.No.1824 of 2018 stands recalled.

Post the appeal for hearing before the appropriate Division Bench on 03.02.2020.

Sd/-

**A.M. SHAFFIQUE
JUDGE**

Sd/-

**T.V. ANILKUMAR
JUDGE**

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