

**SUPREME COURT OF INDIA AIR 2000 3576(2)**

Shivaji University, Kolhapur

Vs.

Sangameshwar Education Society

C.A.No.3241 of 2000

(G. B. Pattanaik and U. C. Banerjee, JJ.)

05.05.2000

**ORDER**

1. Leave granted.

2. Though, this appeal is directed against an interim order of Bombay High Court directing appointment of S. M. Ghattarji as the Principal-in-charge on a provisional basis, but having regard to the facts and circumstances of the case we think it appropriate to interfere with the said order. As in our view, no rights can be said to have accrued on the selected personnel until and unless the selection made by the selection committee is approved by the competent authority, and on the basis of such approval order is communicated to the person concerned. It is no doubt true that not having a Principal in an institution would not be in the interest of institution itself, but the Vice-Chancellor, who is the competent authority having come to the conclusion that there has been some controversy in the process of selection, and having interfered with the same, and the matter being pending before the High Court in a Writ Petition while we do not think it proper to express any opinion on the merits of the matter, but we have no hesitation to come to the conclusion that by way of interim direction, the impugned order could not have been passed. We, therefore, set aside the impugned order and direct that the senior most man in the college would continue as Principal-in-Charge, and request the Bombay High Court to dispose of the Writ Petition as expeditiously as possible. The

appeal is disposed of.

Order accordingly.