

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 2715-2716/2010

KERALA STATE ELECTRICITY
BOARD AND ORS. ETC

APPELLANT(S)

VERSUS

MARYGIRI PUBLIC
SCHOOL AND ORS. ETC.

RESPONDENT(S)

WITH

CIVIL APPEAL NOS. 2717-2719/2010

CIVIL APPEAL NOS.2720-2722/2010

CIVIL APPEAL NOS.2723-2725/2010

CIVIL APPEAL NOS.2726-2734/2010

CIVIL APPEAL NOS.2735-2736/2010

AND

CIVIL APPEAL NO.2737/2010

O R D E R

Heard learned counsel for the parties and perused the material placed on record.

2. The impugned judgment(s) and order(s) passed by the Division Bench of the Kerala High Court actually followed previous judgment dated 17.08.2009

passed in Writ Appeal No.1063 of 2009.

3. Learned counsel for the appellant(s) has placed before us a judgment of this Court dated 20.02.2020 passed in Civil Appeal No.8350 of 2009 titled "*Kerala State Electricity Board Rep. By its Secretary & Anr. vs. Principal Sir Syed Institute for Technical Studies & Ors.*" and other connected cases.

4. It is submitted that the judgment in the Writ Appeal No.1063 of 2009 rendered on 17.08.2009 has since been set aside by the said Judgment of this Court.

5. By the aforesaid judgment, this Court has held that classification for fixing higher tariff for self-financing Educational Institutions to be valid and justified.

6. The aforementioned fact is not disputed by the learned counsel appearing for the respondent(s).

7. In that view of the matter, the present appeals stand covered by the Judgment dated 20.02.2020 passed in Civil Appeal No.8350 of 2009 and connected cases.

8. The appeals are accordingly allowed and the impugned judgment(s) and order(s) passed by the

Division Bench of the High Court are set aside.

9. Pending applications shall stand disposed of.

.....J.
[VIKRAM NATH]

.....J.
[AHSANUDDIN AMANULLAH]

NEW DELHI;
JULY 26, 2023.

ITEM NO.109

COURT NO.12

SECTION XI-A

S 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 S

Civil Appeal No(s). 2715-2716/2010

KERALA STATE ELECTRICITY BOARD AND ORS. ETC

Appellant(s)

VERSUS

MARYGIRI PUBLIC SCHOOL AND ORS. ETC.

Respondent(s)

WITH

C.A. No. 2717-2719/2010 (XI-A)

C.A. No. 2720-2722/2010 (XI-A)

C.A. No. 2723-2725/2010 (XI-A)

C.A. No. 2726-2734/2010 (XI-A)

C.A. No. 2735-2736/2010 (XI-A)

C.A. No. 2737/2010 (XI-A)

Date : 26-07-2023 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Appellant(s) Mr. P. V. Dinesh, AOR
Ms. Anna Oommen A, Adv.

For Respondent(s) Mr. Romy Chacko, AOR
Mr. Prashant Kumar, Adv.
Mr. Robin V. S, Adv.
Mr. Sachin Singh Dalal, Adv.

Mr. Ramesh Babu M. R., AOR
Mr. Ranjith K. C., AOR
Mr. G. Prakash, AOR

M/S. K J John And Co, AOR
Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Prashant Kumar Nair, Adv.
Mr. Shreyansh Kumar, Adv.

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

The appeals are allowed in terms of the signed
order.

Pending applications shall stand disposed
of.

(NEETU KHAJURIA)
ASTT. REGISTRAR-cum-PS

(RANJANA SHAILY)
COURT MASTER

(Signed order is placed on the file.)