

ITEM NO.101

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
RECORD OF PROCEEDINGS

Civil Appeal No. 3490/2016

MANAGER, VAIKKILASSERI U.P. SCHOOL & ORS.

Appellant(s)

VERSUS

STATE OF KERALA . & ORS.

Respondent(s)

[PART HEARD BY : HON'BLE J.K. MAHESHWARI AND HON'BLE K.V. VISWANATHAN, JJ.] [FOR FURTHER ARGUMENTS]

(IA No. 155015/2023 - ADDITION / DELETION / MODIFICATION PARTIES
IA No. 58481/2020 - APPLICATION FOR EXEMPTION FROM FILING ORIGINAL
VAKALATNAMA/OTHER DOCUMENT, IA No. 158468/2023 - APPLICATION FOR
TAKING ON RECORD, IA No. 152718/2019 - APPROPRIATE
ORDERS/DIRECTIONS, IA No. 17450/2022 - APPROPRIATE
ORDERS/DIRECTIONS, IA No. 110656/2021 - EXEMPTION FROM FILING O.T.,
IA No. 2778/2022 - INTERVENTION APPLICATION, IA No. 166765/2023 -
INTERVENTION APPLICATION, IA No. 107640/2019 - INTERVENTION
APPLICATION, IA No. 165017/2018 - INTERVENTION/IMPLEADMENT, IA No.
58480/2020 - INTERVENTION/IMPLEADMENT, IA No. 16481/2022 -
INTERVENTION/IMPLEADMENT, IA No. 155710/2018 -
INTERVENTION/IMPLEADMENT, IA No. 40975/2020 -
INTERVENTION/IMPLEADMENT, IA No. 7377/2022 -
INTERVENTION/IMPLEADMENT, IA No. 145527/2018 -
INTERVENTION/IMPLEADMENT, IA No. 158179/2019 -
INTERVENTION/IMPLEADMENT, IA No. 22459/2018 -
INTERVENTION/IMPLEADMENT, IA No. 139184/2021 -
INTERVENTION/IMPLEADMENT, IA No. 152714/2019 -
INTERVENTION/IMPLEADMENT, IA No. 110655/2021 -
INTERVENTION/IMPLEADMENT, IA No. 49852/2019 -
INTERVENTION/IMPLEADMENT, IA No. 152719/2019 - STAY APPLICATION, IA
No. 139192/2021 - STAY APPLICATION)

WITH

C.A. No. 8582/2016 (XI-A)

(IA No. 124907/2021 - INTERVENTION APPLICATION, IA No. 118671/2021 -
INTERVENTION APPLICATION, IA No. 162669/2019 - INTERVENTION
APPLICATION, IA No. 162865/2018 - INTERVENTION APPLICATION, IA No.
150568/2022 - INTERVENTION APPLICATION, IA No. 36236/2022 -
INTERVENTION APPLICATION)

SLP(C) No. 21623/2017 (XI-A)

Diary No(s). 39500/2018 (XI-A)

(FOR ADMISSION and I.R. and IA No.156013/2018-CONDONATION OF DELAY

Civil Appeal No. 3490/2016 etc.

IN FILING and IA No.156014/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.156012/2018-PERMISSION TO FILE PETITION (SLP/TP/WP/..)

**CONMT.PET.(C) No. 478/2019 in SLP(C) No. 21623/2017 (XI-A)
(IA No. 45285/2019 - EX-PARTE STAY, IA No. 157065/2023 - INTERVENTION/IMPLEADMENT)**

**C.A. No. 7698/2019 (XI-A)
(FOR ADMISSION and I.R. and IA No.120671/2019-CONDONATION OF DELAY IN FILING and IA No.120672/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.120667/2019-PERMISSION TO FILE PETITION (SLP/TP/WP/..), IA No. 120672/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)**

**T.P.(C) No. 2128/2019 (XI-A)
(FOR ADMISSION)**

C.A. No. 6895/2021 (XI-A)

C.A. No. 9000/2017 (XI-A)

C.A. No. 10475/2017 (XI-A)

SLP(C) No. 22865/2017 (XI-A)

**SLP(C) No. 31010/2017 (XI-A)
(IA No. 106199/2020 - APPLICATION FOR EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT, IA No. 106198/2020 - INTERVENTION/IMPLEADMENT, IA No. 33763/2018 - INTERVENTION/IMPLEADMENT, IA No. 33762/2018 - INTERVENTION/IMPLEADMENT)**

C.A. No. 19833/2017 (XI-A)

C.A. No. 19866/2017 (XI-A)

C.A. No. 4841/2016 (XI-A)

**C.A. No. 4842/2016 (XI-A)
(IA No. 171495/2023 - EXEMPTION FROM FILING O.T. and IA No. 171494/2023 - INTERVENTION/IMPLEADMENT)**

C.A. No. 6544/2016 (XI-A)

C.A. No. 6545/2016 (XI-A)

**C.A. No. 24065/2017 (XI-A)
(FOR ADMISSION and I.R. and IA No.131618/2017-CONDONATION OF DELAY IN FILING and IA No.131620/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.131614/2017-PERMISSION TO FILE SLP/TP)**

Civil Appeal No. 3490/2016 etc.

Diary No(s). 18513/2018 (XI-A)
(IA No. 75150/2018 - CONDONATION OF DELAY IN FILING and IA No. 75157/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 3492/2016 (XI-A)

C.A. No. 8590/2016 (XI-A)

C.A. No. 6543/2016 (XI-A)

C.A. No. 5639/2017 (XI-A)
(IA No. 100532/2017 - INTERVENTION/IMPLEADMENT)

C.A. No. 10474/2017 (XI-A)
(IA No. 147040/2018 - INTERVENTION/IMPLEADMENT)

Diary No(s). 1061/2018 (XI-A)
(IA No. 6906/2018 - CONDONATION OF DELAY IN FILING, IA No. 6907/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 6905/2018 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

C.A. No. 8567/2016 (XI-A)

C.A. No. 9083/2016 (XI-A)

C.A. No. 9086/2016 (XI-A)

C.A. No. 184/2017 (XI-A)

SLP(C) No. 35456/2016 (XI-A)
(IA No. 5/2017 - DELETING THE NAME OF PETITIONER/RESPONDENT)

C.A. No. 11996/2016 (XI-A)
(IA No. 129270/2017 - STAY APPLICATION)

C.A. No. 3491/2016 (XI-A)

C.A. No. 8574/2016 (XI-A)

C.A. No. 1216/2017 (XI-A)

C.A. No. 5640/2017 (XI-A)

SLP(C) No. 29881/2017 (XI-A)
(IA No. 40027/2017 - CONDONATION OF DELAY IN FILING)

SLP(C) No. 31011/2017 (XI-A)

Date : 01-11-2023 These matters were called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE K.V. VISWANATHAN**

For Appellant(s)

Mr. Roy Abraham, Adv.
Ms. Reena Roy, Adv.
Mr. Adithya Koshy Roy, Adv.
Ms. Neelam Saini, Adv.
Mr. Himinder Lal, AOR

Mr. K Parameshwar, Adv.
Mr. M V Mukunda, Adv.
Ms. Arti Gupta, Adv.
Ms. Kanti, Adv.
Mr. Kailas Bajirao Autade, AOR

Mr. M. Gireesh Kumar, Adv.
Mr. Ankur S. Kulkarni, AOR
Mr. Varun Kanwal, Adv.

Mr. M. T. George, AOR
Mrs. Susy Abraham, Adv.
Mr. Johns George, Adv.

Mr. Jose Abraham, AOR

Mr. K. Parameshwar, AOR
Ms. Arti Gupta, Adv.
Ms. Kanti, Adv.
Mr. Jiji Thomas, Adv.
Mr. Chinmay Kalgaonkar, Adv.
Mr. M. V. Mukunda, Adv.

Mr. P. George Giri, AOR
Ms. Bindu K Nair, Adv.
Ms. Jasmin Kurian Giri, Adv.
Ms. Mary Scaria, Adv.
Mr. Ginesh P, Adv.
Mr. Shaji Sebastian, Adv.
Mr. Maneesh Narayanan, Adv.
Mr. Abhay Singh, Adv.

Mr. Jogy Scaria, AOR

Mr. Kedar Nath Tripathy, AOR

Mr. Deepak Prakash, AOR
Mr. Kamal Singh Bisht, Adv.
Mr. Pawan Kr. Dabas, Adv.
Mr. Raneev Dahiya, Adv.

Ms. Shruthii Srivastava, Adv.
Mr. Nachiketa Vajpayee, Adv.
Ms. Divyangna Malik, Adv.
Ms. J. Merlyn Rachel, Adv.
Ms. Vishnu Priya, Adv.
Mr. Shyam Nair, Adv.
Mr. Vardaan Kapoor, Adv.
Mr. Rahul Lakhera, Adv.

Ms. Chitrangda Rastravara, Adv.
Mr. Aishwary Mishra, Adv.
Mr. Dhananjai Shekhwat, Adv.
Mr. Abhijeet Singh, Adv.
Mr. Anirudh Singh, Adv.
Mr. Dashrath Singh, Adv.
Mr. Gp. Capt. Karan Singh Bhati, AOR

For Respondent(s)

Mr. Jayanth Muth Raj, Sr. Adv.
Mr. C. K. Sasi, AOR
Ms. Meena K Poullose, Adv.

Mr. G. Prakash, AOR

Mr. M. Gireesh Kumar, Adv.
Mr. Ankur S. Kulkarni, AOR
Mr. Varun Kanwal, Adv.

Mr. K. Parameshwar, AOR

Mr. Kailas Bajirao Autade, AOR

Mr. Vishnu Shankar Jain, AOR

Ms. Archana Pathak Dave, AOR
Mr. Kumar Prashant, Adv.
Mr. Vaibhav Dwivedi, Adv.

Mrs. V.P. Seemandhini, Sr. Adv.
Mr. Mohammed Sadique T.A., AOR
Mr. Alim Anvar, Adv.

Mr. Jishnu M. L., AOR
Mrs. Beena Prakash, Adv.
Mr. Anoop R, Adv.
Mr. V Vijayamohan, Adv.

Mr. K. Rajeev, AOR

Mr. Zulfiker Ali P. S, AOR

Mr. Romy Chacko, AOR

Mr. Radha Shyam Jena, AOR

Mr. Abraham M. Pattiyani, Adv.

Mr. Prasanth K, Adv.

Mr. Junais P., Adv.

M/S. Lead Counsel, AOR

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

SLP (C)No. 31010/2017 and SLP (C)No. 35456/2016

In these matters, service of notice is not complete. Let fresh notice be issued to the unserved respondents.

C.A. No. 19833/2017

In the aforesaid civil appeal, as pointed out in the office report dated 31.10.2023, NLPA could not be issued to the respondents as spare copies have not been filed by the appellants. On rectifying the defects by the appellants within two weeks, let NLPA pursuant to order dated 20.11.2017 be issued.

D. No. 39500/2018, D. No. 18513/2018, D. No. 1061/2018,

T.P. (C)No. 2128/2019

Issue notice.

Mr. C. K. Sasi, learned counsel, accepts notice for respondent-State of Kerala.

For the remaining respondents, let notice be issued.

Civil Appeal No. 3490/2016 etc.

List the matters on 17th January, 2024.

In the meantime, the respondent shall comply with the order dated 31.08.2023.

(NIDHI AHUJA)
AR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER