

Listed on : 29.11.2016

Court No.

Item No.

Section XI-A
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) Nos. 18475-18476, 23138-23140, 23142-23146, 29655-29658, 29660-29662, 29781-29783, 29560-29561, 33438-33439, 31934-31936, 37208 AND 39339 OF 2013 AND 76-77, 79-80, 81, 82, 83-86, 4530, 4531-4532 & 4534-4536 OF 2014 WITH PRAYER FOR INTERIM RELIEF.

WITH
INTERLOCATORY APPLICATION NOS. 9-10, 11-12 and 13-14
(Application for impleadment)

State of Kerala

...Petitioner

Versus

Mythri Vidya Bhavan English Medium
School & Anr, etc.

...Respondents

OFFICE REPORT

SLP(C) Nos. 18475-18476 of 2013

The matters above-mentioned were listed before the Hon'ble Court on 10.05.2013, when the Court was pleased to pass the following:-

“Delay condoned.

Issue notice.

In the meanwhile, there shall be interim stay of operation of the impugned judgment dated 14th September, 2012 passed by the High Court of Kerala.”

It is submitted for the information of the Hon'ble Court that Mr. Nishe Rajan Shonker, Advocate has filed vakalatnama/appearance on behalf of Respondent No. 1 and has also filed counter affidavit on his behalf (Copy of the same has been included in the SLP paper-books for the kind perusal of the Hon'ble Court). Mr. Tarachand Sharma, Advocate has filed Vakalatnama/Appearance and counter-affidavit on behalf of respondent No. 2 (Copy of the same has been included in the SLP paper-books for the kind perusal of the Hon'ble Court)

It is further submitted Respondent No. 3 and a additional petitioner have been impleaded vide Court's order dated 24.1.2014 passed in I.A. Nos. 5-6 and 7-8 respectively. Cause title has been amended accordingly and is being circulated herewith for the kind perusal of the Hon'ble Court.

It is further that M/s. Naveen R. Nath, Sajith P. and P.V. Dinesh, Advocates have filed application for impleadment to implead the party as respondent (register as I.A. No. 9-10, 11-12 and 13-14 respectively) along with Vakalatnama/Memo of appearance. The same were listed before Hon'ble Judge in Chamber on 5.5.2014 and 27.4.2016 respectively. Copy of orders dated 5.5.2014 and 27.4.2016 are included in the paper books for the kind perusal of the Hon'ble Court and the Hon'ble Judge in Chambers directed "Let the applications alongwith the main matter before Hon'ble Court"

SLP(C) Nos. 23138-23140 & 23142-23146 of 2013

The matters above-mentioned were listed before the Hon'ble Court on 16.07.2013, when the Court was pleased to pass the following:-

"Delay condoned.

Issue notice.

In the meanwhile, there shall be interim stay of the operation of the impugned judgment dated 14th September, 2012 passed by the High Court of Kerala.

After notice, tag with S.L.P.(C) Nos. 18475-18476 of 2013."

Accordingly show cause notice was issued to all the respondents through Regd. A.D. post.

Service position of each matter is given below:-

S. No.	SLP Nos.	No. of Respondents	Service Position.	Remarks

1.	23138 /13	Two	Mr. A.V. Balan, Advocate filed V/A and counter-affidavit on behalf of Respondent No. 1. Mr. Tara Chand Sharma, Advocate filed V/A and counter affidavit on behalf of Respondent No. 2.	Service is complete.
2.	23139/13	Sole	A.D card received but no appearance filed.	Service is complete.
3.	23140/13	Two	Mr. Nishe Rajen Shonker, Advocate filed V/A on behalf of Respondent No. 1 but has not filed counter affidavits so far. Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 2 and has filed counter affidavits.	Service is complete

4.	23142/13	Two	Mr. Nishe Rajen Shonker, Advocate filed V/A on behalf of Respondent No. 1 but has not filed counter affidavits so far. Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 2 and has filed counter affidavits.	Service is complete.
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5.	23143/13	Two	<p>Mr. K. Rajeev, Advocate has filed v/a on behalf of Respondent no. 1 but has not filed counter affidavit so far.</p> <p>Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 2 and has filed counter affidavits.</p>	Service is complete.
6.	23144/13	Two	<p>Mr. Nishe Rajen Shonker, Advocate filed V/A on behalf of Respondent No. 1 but has not filed counter affidavits so far.</p> <p>Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 2 and has filed counter affidavits.</p>	Service is complete.

7.	23145/13	Three	<p>Mr. Sajith P., Advocate filed V/A on behalf of Respondent No. 1 but has not filed counter affidavits so far.</p> <p>A.D card received in respect of Respondent No. 2 but no appearance.</p> <p>Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 3 and has filed counter affidavits.</p>	Service is complete.
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8.	23146/13	Two	Mr. Nishe Rajen Shonker, Advocate filed V/A on behalf of Respondent No. 1 but has not filed counter affidavits so far. Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 2 and has filed counter affidavits.	Service is complete.
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SLP(C) Nos. 29655-29658 and 29660-29662 of 2013

The matters above-mentioned were listed before the Hon'ble Court on 13.09.2013, when the Court was pleased to pass the following:-

“Delay condoned.

Issue notice.

Since C.B.S.E. has already entered appearance though its counsel, no formal notice be issued to C.B.S.E.

After notice, tag with SLP(C) Nos. 18475-18476 of 2013 @ CC Nos. 10297-10298 of 2013”

It is submitted for the information of the Hon'ble Court that accordingly show cause notice was issued to all the respondents through Regd. A.D. post. Service position of each matter is given below.

S. No.	SLP Nos.	No. of Respondents	Service Position.	Remarks
1.	29655 /13	Two	Mr. Prasanth P., Advocate filed V/A on behalf of Respondent No. 1 but has not filed counter affidavits so far. Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 2 and has filed counter affidavits.	Service is complete.

2.	29656/13	Sole	Mr. Nishe Rajen Shonker, Advocate filed V/A on behalf of sole Respondent but has not filed counter affidavits so far.	Service is complete.
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3.	29657/13	Sole	Mr. Nishe Rajen Shonker, Advocate filed V/A on behalf of sole Respondent but has not filed counter affidavits so far.	Service is complete.
4.	29658/13	Sole	Mr. Nishe Rajen Shonker, Advocate filed V/A on behalf of sole Respondent but has not filed counter affidavits so far.	Service is complete.
5.	29660/13	Two	Mr. Nishe Rajen Shonker, Advocate filed V/A on behalf of Respondent No. 1 but has not filed counter affidavits so far. Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 2 and has filed counter affidavits.	Service is complete.
6.	29661/13	Four	M/s. Sajith P., and Tara Chand Sharma, Advocates filed V/A on behalf of Respondent Nos. 1 and 4 respectively but have not filed their respective counter-affidavits so far. A.D. card received on behalf of Respondent Nos. 2 and 3 but no appearance so far.	Service is complete.
7.	29662/13	Two	A.D card received in respect of Respondent No. 1 but no appearance. Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 2 and has filed counter affidavits.	Service is complete.

SLP(C) Nos. 29781-29783 of 2013

The matters above-mentioned were listed before the Hon'ble Court on 16.09.2013, when the Court was pleased to pass the following:-

**“Delay condoned.
Issue notice.**

Mr. Tara Chand Sharma, Advocate accepts notice on behalf of CBSE.

Tag with SLP(C) Nos. 18475-18476 of 2013 @ CC Nos. 10297-10298 of 2013”

It is submitted for the information of the Hon'ble Court that accordingly show cause notice was issued to all the respondents through Regd. A.D. post. Service position of each matter is given below.

S.No.	SLP Nos.	No of respdts.	Service Position.	Remarks
1.	29781 /13	Sole	Mr. Nishe Rajen Shonker, Advocate filed V/A on behalf of sole Respondent but has not filed counter affidavits so far.	Service is complete.
2.	29782/13	Two	A.D card received in respect of Respondent No. 1 but no appearance. Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 2 and has filed counter affidavits.	Service is complete.
3.	29783/13	Two	Mr. Nishe Rajen Shonker, Advocate filed V/A on behalf of both the Respondents but has not filed counter affidavits so far.	Service is complete.

SLP(C) Nos. 29560-29561 of 2013

The matters above-mentioned were listed before the Hon'ble Court on 19.09.2013, when the Court was pleased to pass the following:-

“Delay condoned.

Issue notice.

Since C.B.S.E. has already entered appearance though its counsel, no formal notice be issued to C.B.S.E.

After notice, tag with SLP(C) Nos. 18475-18476 of 2013 @ CC Nos. 10297-10298 of 2013”

It is submitted for the information of the Hon'ble Court that accordingly show cause notice was issued on to all the respondents through Regd. A.D. post. Service position of each matter is given below.

S.No.	SLP Nos.	No of respondents.	Service Position.	Remarks
1.	29560 /13	Two	Mr. E.M.S. Anam, Advocate filed V/A on behalf of Respondent No. 1 but has not filed counter affidavits so far. Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 2 and has filed counter affidavits.	Service is complete.
2.	29561/13	Two	Mr. A. Raghunath, Advocate filed V/A on behalf of Respondent No. 1 but has not filed counter affidavits so far. Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 2 and has filed counter affidavits.	Service is complete.

SLP(C) Nos. 33438-33439 of 2013

The matters above-mentioned were listed before the Hon'ble Court on 18.10.2013, when the Court was pleased to pass the following:-

**“Delay condoned.
Issue notice.**

Mr. Tara Chandra Sharma, Advocate enters appearance on behalf of CBSE, and waives notice.

Tag with SLP(C) Nos. 18475-18476 of 2013.

In the meanwhile, the objections raised by the Registry be complied with by the petitioners.”

It is submitted for the information of the Hon'ble Court that accordingly show cause notice was issued on to all the respondents through Regd. A.D. post. Service position of each matter is given below.

S.No.	SLP Nos.	No of respdts.	Service Position.	Remarks
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1.	33438 /13	Two	Mr. Nishe Rajen Shonker, Advocate filed V/A on behalf of Respondent No. 1 but has not filed counter affidavits so far. Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 2 and has filed counter affidavits.	Service is complete.
2.	33439/13	Sole	Mr. Romy Chacko, Advocate filed V/A on behalf of sole Respondent but has not filed counter affidavits so far.	Service is complete.

SLP(C) No. 37208 of 2013

The matter above-mentioned was listed before the Hon'ble Court on 29.11.2013, when the Court was pleased to pass the following:-

“Issue notice on the application for condonation of delay as also on the special leave petition.

In the meanwhile, there shall be stay of operation of the impugned judgment passed by the High Court.

Tag with SLP(C) Nos. 18475-18476 of 2013.”

It is submitted for the information of the Hon'ble Court that accordingly show cause notice was issued to sole respondent through Registered. A.D. post. Mr. Tara Chand Sharma, Advocate has filed Vakalatnama/Appearance on behalf of the sole respondent but has not filed counter-affidavit so far.

Service of show cause notice is complete.

SLP(C) Nos. 39339 of 2013

The matter above-mentioned was listed before the Hon'ble Court on 16.12.2013, when the Court was pleased to pass the following:-

“Delay condoned.

Issue notice.

Mr. Tara Chandra Sharma, Advocate accepts notice on behalf of Respondent No. 3. Hence no formal notice be issued to Respondent No. 3.

Tag with SLP (C) Nos. 18475-18476 of 2013.”

It is submitted for the information of the Hon'ble Court that accordingly show cause notice was issued to all the 3 respondents. Counsel for the petitioner has filed proof of service in respect of Respondent No. 1 but no one has entered appearance on his behalf so far. Mr. C.K.Sasi, Advocate has filed Vakalatnama/Appearance on behalf of Respondent No. 2 but has not filed counter-affidavit so far. Respondent No. 3 is represented by Mr. Tara Chand Sharma, Advocate.

Service of show cause notice is complete.

SLP(C) Nos. 31934-31936 of 2013

The matters above-mentioned were listed before the Hon'ble Court on 30.09.2013, when the Court was pleased to pass the following:-

“Delay condoned.

Issue notice.

Tag with SLP(C) Nos. 18475-18476 of 2013 arising out CC Nos. 10297-10298 of 2013.

in the meanwhile, operation of the impugned order passed by the High Court shall remain stayed.”

It is submitted for the information of the Hon'ble Court that accordingly show cause notice was issued to all the respondents through Regd. A.D. post.

Service position of each matter is given below.

S. No.	SLP Nos.	No. of Respondents	of Service Position.	Remarks
1.	31934 /13	Two	Mr. Nishe Rajen Shonker, Advocate filed V/A on behalf of Respondent No. 1 but has not filed counter affidavits so far. Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 2 and has filed counter affidavits.	Service is complete.

2.	31935/13	Two	A.D. card has been received in respect of Respondent No. 1 but no appearance filed so far. Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 2 and has filed counter affidavits.	Service is complete.
3.	31936/13	Two	A.D. card is received in respect of Respondent No. 1 but no appearance. Mr. Tara Chand Sharma, Advocate filed V/A on behalf of Respondent No. 2 and has filed counter affidavits.	Service is complete.

SLP (C) Nos. 76-77, 79-80, 81, 82, 83-86 OF 2014

The matters above-mentioned were listed before the Hon'ble Court on 2nd January, 2014, when the Court was pleased to pass the following Order:

“Delay condoned.

Issue notice.

Mr. Tara Chandra Sharma, Advocate accepts notice on behalf of C.B.S.E. in all the matters and waives service of notice in respect of C.B.S.E. Notice be issued to the remaining respondents.

Tag with SLP(C) Nos. 18475-18476 of 2013 arising out of CC Nos. 10297-10298 of 2013.

In the meanwhile, there shall be stay of the impugned order passed by the High Court.”

Service position is as under:

S. NO.	SLP NOS.	NUMBER OF RESPONDENTS	SERVICE POSITION	Remarks
1.	<u>SLP(C) Nos. 76-77 of 2014</u> SLP(C) No. 76 of 2014	Three	A.D cards received from R-1 and R-2 but no appearance. Mr. Tara Chand Sharma,	Service is complete.

	SLP(C) No. 77 of 2014	Three	<p>Advocate filed V/A as well as counter affidavit on behalf of Respondent No. 3</p> <p>Mr. Senthil Jagadeesan, Adv, Advocate filed V/A on behalf of Respondent No. 1 but has not filed counter affidavit..</p> <p>Mr. Tara Chand Sharma, Advocate filed V/A as well as counter affidavit on behalf of Respondent No. 2</p> <p>A.D card received from R-3 but no appearance.</p>	Service complete.	is
2.	<u>SLP (C) Nos. 79-80 of 2014</u>				
	SLP(C) No. 79 of 2014	Two	<p>Respondent No.1 served through A.D. card.</p> <p>Mr. Tara Chand Sharma, Advocate filed V/A as well as counter affidavit on behalf of Respondent No. 2</p>	Service complete.	is
	SLP(C) No. 80 of 2014	One	A.D card received from sole respondent but no appearance.	Service complete.	is
3.	SLP (C) No.81 of 2014	Two	<p>Mr. Nishe Rajen Shonker, Advocate filed V/A on behalf of Respondent No.1 but has not filed counter affidavit.</p> <p>Mr. Tara Chand Sharma, Advocate filed V/A as well as counter affidavit on behalf of Respondent No. 2</p>	Service complete.	is

4.	SLP (C) No. 82 of 2014	Two	<p>Mr. Prasantha P., Advocate filed V/A as well as Counter Affidavit on behalf of Respondent No. 1.</p> <p>Mr. Tara Chand Sharma, Advocate filed V/A as well as counter affidavit on behalf of Respondent No. 2</p>	Service complete. is
5.	<p><u>SLP (C) Nos. 83- 86 of 2014</u></p> <p>SLP (C) No. 83 of 2014.</p> <p>SLP (C) No. 84 of 2014.</p>	<p>Two</p> <p>Two</p>	<p>A.D card received from R-1 but no appearance.</p> <p>Mr. Tara Chand Sharma, Advocate filed V/A as well as counter affidavit on behalf of Respondent No. 2</p> <p>Respondent No.1 unserved.</p> <p>Mr. Tara Chand Sharma, Advocate filed V/A as well as counter affidavit on behalf of Respondent No. 2</p>	<p>Service complete. is</p> <p>Service is not complete on Respnodent No. 1.</p>

SLP (C) No. 85 of 2014.	Two	Mr. Nishe Rajen Shonker, Advocate filed V/A on behalf of Respondent No.1 but has not filed counter affidavit. Mr. Tara Chand Sharma, Advocate filed V/A as well as counter affidavit on behalf of Respondent No. 2	Service complete.	is
SLP (C) No. 86 of 2014.	Two	Mr. Romy Chacko, Advocate filed V/A on behalf of Respondent No. 1 but has not filed counter-affidavit so far. Mr. Tara Chand Sharma, Advocate filed V/A as well as counter affidavit on behalf of Respondent No. 2	Service complete.	is

SLP (C) Nos. 4530, 4531-4532 & 4534-4536 OF 2014

The matters above mentioned were listed before the Hon'ble Court on 07th February, 2014, when the Court was pleased to pass the following Order in this matter:

“ Delay condoned.

Issue notice.

Mr. Tara Chandra Sharma, learned counsel present in Court on caveat on behalf of respondent No. 2 accepts and waives formal notice.

Let notice be issued to other respondents.

Until further orders, there shall be stay of the impugned order.

Tag with SLP(C) Nos. 18475-18476 of 2013 @ CC Nos. 10297-10298 of 2013.”

The Service position is as under:

Sl. No.	SLP Nos.	NO OF RESPONDETS	SERVICE POSITION	REMARKS
1.	SLP (C) No. 4530 of 2014	Two	Mr. Jose Abraham, Advocate filed V/A on behalf of Respondent No.1 but has not filed counter affidavit. Mr. Tara Chand Sharma, Advocate filed V/A as well as counter affidavit on behalf of Respondent No. 2	Service is complete.
2.	SLP (C) Nos. 4531-4532 of 2014.			
	SLP (C) No. 4531 of 2014.	Two	Respondent No.1 served through A.D. card. Mr. Tara Chand Sharma, Advocate filed V/A as well as counter affidavit on behalf of Respondent No. 2	Service is complete.
	SLP (C) No. 4532 of 2014.	Three	Mr. Jose Abraham, Advocate filed V/A on behalf of Respondent No.1 but has not filed counter affidavit. Mr. Tara Chand Sharma, Advocate filed V/A as well as counter affidavit on behalf of Respondent Nos. 2 & 3.	Service is complete.

3.	SLP (C) Nos. 4534-4536 of 2014				
	SLP (C) No. 4534 of 2014	Two	Mr. Prasanth P., Advocate filed V/A on behalf of Respondent No.1 but has not filed counter affidavit.	Service complete.	is
			Mr. Tara Chand Sharma, Advocate filed V/A as well as counter affidavit on behalf of Respondent No. 2		
	SLP (C) No. 4535 of 2014	One	A.D card received from R-1 but no appearance.	Service complete.	is
	SLP (C) No. 4536 of 2014	Two	Mr. Ranjith K.C., Advocate filed V/A on behalf of Respondent No.1 but has not filed counter affidavit.	Service complete.	is
			Mr. Tara Chand Sharma, Advocate filed V/A as well as counter affidavit on behalf of Respondent No. 2		

The matters above mentioned alongwith the applications are listed before the Hon'ble Court with this report.

Dated this the 28th day of November, 2016

Sd/-
ASSISTANT REGISTRAR