

ITEM NO.105

COURT NO.14

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(s). 4039-4053/2009

KOMALAN ETC. ETC.

Appellant(s)

VERSUS

THE STATE OF KERALA REP. BY SECRETARY
TAXES(A) DEPARTMENT AND ORS. ETC.

Respondent(s)

([RELEASED FROM PART-HEARD])

IA No. 23841/2024 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 100019/2019 - EARLY HEARING APPLICATION

IA No. 16/2013 - INTERVENTION APPLICATION

IA No. 1/2013 - INTERVENTION APPLICATION

IA No. 113245/2022 - INTERVENTION/IMPLEADMENT

IA No. 11425/2023 - VACATING STAY)

WITH

C.A. No. 5910-5911/2010 (XI-A)

C.A. No. 4581-4593/2010 (XI-A)

C.A. No. 7345/2010 (XI-A)

C.A. No. 10054-10057/2010 (XI-A)

SLP(CrI) No. 3263-3266/2011 (II-B)

(IA No. 9179/2013 - PERMISSION TO FILE ANNEXURES

IA No. 40049/2013 - PERMISSION TO PRODUCE ADDITIONAL DOCUMENTS

IA No. 8354/2011 - STAY APPLICATION)

C.A. No. 5078/2011 (XI-A)

C.A. No. 7223-7224/2011 (XI-A)

C.A. No. 6760/2012 (XI-A)

C.A. No. 8653/2009 (XI-A)

C.A. No. 1125-1129/2010 (XI-A)

C.A. No. 4730/2010 (XI-A)

S.L.P.(C)...CC No. 1233/2016 (XI-A)

(FOR CONDONATION OF DELAY IN FILING ON IA 1/2016

IA No. 1/2016 - CONDONATION OF DELAY IN FILING)

C.A. No. 5391/2009 (XI-A)

C.A. No. 8506-8508/2009 (XI-A)

C.A. No. 8509/2009 (XI-A)

C.A. No. 5392/2009 (XI-A)

C.A. No. 7650/2009 (XI-A)

C.A. No. 8337-8339/2009 (XI-A)

C.A. No. 8652/2009 (XI-A)

C.A. No. 2245-2251/2010 (XI-A)

C.A. No. 2441-2442/2010 (XI-A)

C.A. No. 4986-4987/2009 (XI-A)

Date : 03-10-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Appellant(s) Mr. Roy Abraham, Adv.
Ms. Reena Roy, Adv.
Mr. Adithya Koshy Roy, Adv.
Mr. Yaduinder Lal, Adv.
Ms. Rajni Ohri Lal, Adv.
Mr. Himinder Lal, AOR

Mr. Nishe Rajen Shonker, AOR
Mr. P.v. Dinesh, Sr. Adv.
Ms. Anna Oommen, Adv.

Mr. Ranjith K. C., AOR
Mr. Vishal Arun, AOR

Mr. Boby Augustine, Adv.
Ms. Iram Naaz, Adv.
Mr. Nitin Sharma, Adv.
Mr. Sriram P., Adv.
Mr. Vishnu Shankar M., Adv.
Ms. Athira G. Nair, Adv.
M/S. Lawfic, AOR

For Respondent(s) Mr. R. Sathish, AOR
Mr. Ramesh Babu M. R., AOR
Mr. Shibu Devasia Olickal, AOR
Ms. Bina Madhavan, AOR

Mr. P.V. Surendranath, Sr. Adv.
Mr. Harshad V. Hameed, AOR
Mr. Dileep Poolakkot, Adv.
Mrs. Ashly Harshad, Adv.
Mr. Sawan Kumar Shukla, Adv.

Mr. Jogy Scaria, AOR
Mr. G. Prakash, AOR
Mr. Naresh Kumar, AOR
Mr. K. Rajeev, AOR

Mr. V. K. Biju, AOR
Mr. Abhinav Singh, Adv.

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

1. By our order dated 01.05.2024, we have directed as under:

"2. In view of the opinion expressed by the Government in paragraph 5 of the above referred letter, we adjourn the case by four months to enable the Government to take the necessary decision for an in-depth study in a manner that the State considers fit and appropriate. On the basis of the report the State shall consider revisiting the Rules, if necessary."

2. The Government has made a further request for adjourning the matter as a final decision has not yet been arrived. These cases are pending since 2009 and it is not appropriate to keep adjourning the appeals from time to time. However, as a last chance we direct that the State Government shall take a final decision within a period of three months from today and file the necessary affidavit.

3. We make it clear that we will not adjourn the matters any further.

4. List in second week of January 2025.

(KAPIL TANDON)
COURT MASTER (SH)

(NIDHI WASON)
COURT MASTER (NSH)