

ITEM NO.3

COURT NO.6

SECTION XIA

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).11797/2007

(From the judgement and order dated 28/05/2007 in WA No. 2026/2006 of
The HIGH COURT OF KERALA AT ERNAKULAM)

SABI AUGUSTINE

Petitioner(s)

VERSUS

JOSEPH ABRAHAM & ORS.

Respondent(s)

(With appln(s) for directions and permission to file additional documents and
with prayer for interim relief and office report)
[FOR FINAL DISPOSAL]

Date: 08/04/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. L.N.Rao, Sr. Adv.

Mr. K. Rajeev, Adv.

Mr. Hashad V. Hameed, Adv.

For Respondent No. 1 Mr. Romy Chacko, Adv.

Respondent No. 2 Mr. R. Sathish , Adv

Respondent No. 4 Mr. Ranjith K.C., Adv. (not present)

UPON hearing counsel the Court made the following
ORDER

In this case, the petitioner was initially appointed as a
Higher Secondary School Teacher on 1.9.2000 and continued to
work on that post till 12.3.2008. By order dated 11.3.2008, the
petitioner was directed to join at a junior position as High

2

School Assistant against the post vacated by respondent No. 1.

We are prima facie of the view that this order cannot be
sustained. Mr. R. Sathish, learned counsel appearing for State
of Kerala-respondent No. 2 prays for a short adjournment to
explore the possibility of creating one more post of a Higher
Secondary School teacher so that the petitioner could be
accommodated without displacing respondent No. 1.

As prayed, list after three weeks.

(Pardeep Kumar)
Court Master

(Neeru Bala Vij)
Court Master