

1
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
I.A.No. 3 Of 2016
IN
CIVIL APPEAL NO(s).8780 OF 2013
P.V.MOHAN KUMAR

Appellant(s)

VERSUS

STATE OF KERALA & ORS.

Respondent(s)

O R D E R

Heard.
Application (I.A.No.3 of 2016) for early hearing is allowed.
Appeal is taken on Board.
Heard learned counsel for the parties at some length who have taken us through the orders passed by learned Single Judge of the High Court and that passed in appeal by the Division Bench of that Court. Learned Single Judge of the High Court has elaborately considered the relevant provisions governing promotion apart from taking note of the pronouncements of this Court and those of the High Court of Kerala while holding that respondent No.6 was rightly promoted in terms of the rules prevalent at the time the vacancy in-question had occurred. That apart respondent no.6 has ever since the date of his promotion not only served and received the benefits attached to the post of headmaster but even superannuated in June 2016. In that view, therefore, the entire issue is rendered academic and need not be gone into by us at this stage.

2

The appeal fails and is accordingly dismissed. No costs.

.....CJI.

(T.S. THAKUR)

.....J.

(A.M. KAHNWILKAR)

NEW DELHI

DATED 2 nd

SEPTEMBER, 2016.

3

ITEM NO.18

COURT NO.1

SECTION XIA

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

I.A.No.3 of 2016 in Civil Appeal No(s).8780 of 2013

P.V.MOHAN KUMAR

Appellant(s)

VERSUS

STATE OF KERALA & ORS.

Respondent(s)

(For early hearing and office report)

Date : 02/09/2016 This application was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Appellant(s) Mr. P. A. Noor Muhamed,Adv.

Ms. Giffara S.,Adv.

Mr. Mohd. Shajahan Islam,Adv.

For Respondent(s) Mr. Sajith P.,Adv.

Mr. A. Raghunath,Adv.

UPON hearing the counsel the Court made the following

O R D E R

Heard.

Application (I.A.No.3 of 2016) for early hearing is allowed.

Appeal is taken on Board.

In terms of the signed order, this appeal fails and is accordingly dismissed.

(MAHABIR SINGH)

(VEENA KHERA)

COURT MASTER

COURT MASTER

(Signed order is placed on the file)