

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO.137 OF 2010**

**E.S.GANAPATHY**

**Appellant(s)**

**VERSUS**

**N.M.ESSAKE RAJASEKAR & ORS.**

**Respondent(s)**

**O R D E R**

On hearing learned counsel for the appellant and respondent No.3, it transpires that respondent No.1 was the petitioner/complainant (before trial Court) who is not represented before us.

Learned counsel for the appellant submits that the appellant ceased to be a Member of the Educational Committee (for short "Committee") and the Trust, the tenure of the appellant having coming to an end in October 2000 on expiry of five years.

It is submitted that the aforesaid aspect has been noticed in the impugned order in paragraph 19.

It was, however opined that there was no concrete proof placed on record of the appellant ceasing to be Member of the Committee and the Trust.

Learned counsel for the appellant rightly submits that this aspect could be verified by

respondent No.3 who is represented before us. Learned counsel for respondent No.3 confirms that the appellant had ceased to be a Member of the Committee and the Trust since October 2000 and even thereafter has not been a Member of the Committee or the trust.

In view of the aforesaid there is really no requirement to go into the present matter at this stage.

In view of the observations *lis* against the appellant does not survive. Not only this, it appears that even when the Scheme Court went into this aspect, the aforesaid status obtained and, therefore, there was no occasion for the long drawn out proceedings.

Accordingly, the appeal is disposed of.

.....J.  
(SANJAY KISHAN KAUL)

.....J.  
(K.M. JOSEPH)

NEW DELHI  
JULY 11, 2019

ITEM NO.107

COURT NO.14

SECTION XII

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

Civil Appeal No.137/2010

E.S.GANAPATHY

Appellant(s)

VERSUS

N.M.ESSAKE RAJASEKAR & ORS.  
(IA No.71861/2017-INTERVENTION/IMPLEADMENT)

Respondent(s)

Date : 11-07-2019 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE K.M. JOSEPH

For Appellant(s) Ms. Asmita Singh, Adv.  
Mr. Goutam Narayan, AOR

For Respondent(s) Mr. Venkateshwar Rao Anumolu, Adv.  
Mr. K.K.S. Krishnaraj, Adv.  
Ms. Anagha S. Desai, AOR

Mr. A. Karthik, AOR  
Mr. Badusha Sulaiman, Adv.  
Smrithi Suresh, Adv.

Mrs. Aarthi Rajan, AOR

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

None is present for the applicant in IA  
No.71861/2017. The application is accordingly  
dismissed.

The civil appeal is disposed of in terms of the  
signed order.

Pending application(s), if any, shall also stand  
disposed of.

(POOJA ARORA)  
COURT MASTER

(ANITA RANI AHUJA)  
COURT MASTER

(Signed order is placed on the file)