

ITEM NO.17

COURT NO.7

SECTION X

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

Writ Petition(s)(Civil) No(s).31/2018

SUJIT NAIR & ORS.

Petitioner(s)

VERSUS

HIGH COURT OF KERALA & ORS.
(With application for stay)

Respondent(s)

Date : 04-10-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s)	Mr. Sreegish M.K.Adv. Ms. Neha Sharma, AOR
For Respondent(s)	Mr. R.Basant, Sr.Adv. Mr. T.G.Narayanan Nair, AOR Mr. Ramesh Babu M.R, Adv. Mr. Amith Krishnan, Adv. Mr. P.S.Patwalia, Sr.Adv. Mr. Roy Abraham, Adv. Ms. Seema Jain, Adv. Mr. Himinder Lal, AOR Mr. Jaideep Gupta, Sr.Adv. Mr. G.Prakash, AOR Mr. Jishnu M.L., Adv. Ms. Priyanka Prakash, Adv. Ms. Beena Prakash, Adv. Mr. Jayanth Muthraj, Adv. Ms. Nayantara Roy, Adv. Mr. P.S.Sudheer, AOR Ms. Bina Madhavan, Adv. Ms. Shreyasi Kunwar, Adv. M/S.Lawyer S Knit & Co, AOR

Mr. K.Rajeev, AOR
Mr. Bijo Mathew Joy, Adv.

Mr. Harshad V.Hameed, AOR
Mr. Dileep Poolakkot, Adv.
Ms. Ashly Harshad, Adv.
Mr. Muhammed Siddick, Adv.

Mr. Raji Joseph, AOR

Mr. Gopal Shankar Narayanan, Adv.
Mr. Govind Manoharan, Adv.
Mr. Sachin Patil, AOR

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

After hearing the learned counsel for the parties, we are of the opinion that the High Court was justified in making 66 appointments pursuant to the advertisement issued in the year 2013. As the incumbents were selected and sent for training and were actually paid stipend also, they could not have been denied the appointment due to delay on the part of the State Government of Kerala in creating the posts of Gram Nyayalayas due to which, some embargo had arisen. However, that has been taken care of by rightly appointing 66 candidates. However, list should not be operated any more.

At the same time, it was submitted that there was some error in calculation with respect to the vacancies which are available and should have been filled by the list pursuant to the advertisement issued in 2016.

Shri R.Basant, learned senior counsel appearing on behalf of the respondent High Court has stated that there is no such error. If any error is pointed out, it will be open to the petitioners to file their representation. The same shall be objectively and sympathetically looked into by the Committee of the High Court on administrative side. In case, any vacancy has been wrongly calculated, let needful be done.

Accordingly, we find no ground to interfere with the appointments.

The Writ Petition is, accordingly, disposed of. Pending applications, if any, stand disposed of.

(B.PARVATHI)
COURT MASTER

(JAGDISH CHANDER)
BRANCH OFFICER