

Matter Coming on 24/07/2020 Section – XiiA

IN THE SUPREME COURT OF INDIA
CIVIL/CRIMINAL APPELLATE JURISDICTION

Diary No. 12005/ 2020
IN

SPECIAL LEAVE PETITION(C) NO. 7294/2020

IN THE MATTER OF:

State of Andhra Pradesh

...Petitioner

Vs

N Ramesh Kumar, IAS & Ors.

...Respondents

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SL. NO.	PARTICULARS	SETS	COURT FEE
1.	Application for permission to bring on record Additional fact & document with affidavit		1+3
2.	Annexure RA1		1+3
Total Court Fee			

Filed by:


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Dated: 22-07-2020

New Delhi

Sevice through Email

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TARUN GUPTA, Advocate
K. SUCHARITA, Advocate
M. VIJAYA BHASKAR, Advocate

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

I.A. NO. OF 2020

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PAPER BOOK

ADVOCATE FOR RESPONDENT NO.1: K.PARAMESHWAR

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

IA No. /2020

IN

SPECIAL LEAVE PETITION(C) NO. 7294/2020

In the matter of:

State of Andhra Pradesh

... Petitioner

Versus

N Ramesh Kumar, IAS & Ors.

... Respondents

**Application for Permission to Bring on Record Additional Facts
and Documents**

To the Hon'ble Chief Justice of India
And the Hon'ble Judges
of the Supreme Court of India

The Humble Application
of the Petitioners above-named

MOST RESPECTFULLY SHOWETH:

1. The Petitioners herein have preferred a Special Leave Petition against final order and judgment dated 29.05.2020 in WP(C) No.8163/2020 passed by the Hon'ble High Court of Andhra Pradesh at Amaravathi. The contents of the Counter Affidavit to the Special Leave Petition may be read as part and parcel of the present application.
2. It is submitted that the present application is being filed to bring on record the following facts which are essential to the adjudication of the case:

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- a. The Respondent No.1 herein filed a contempt petition before the High Court of Andhra Pradesh, at Amaravathi, being Contempt Case No.565/2020. The Hon'ble High Court heard the matter on 17.07.2020, and granted liberty to the Respondent No.1 herein "to take recourse as specified under Article 243K(3) of the Constitution of India, making a request to Hon'ble the Governor for implementation of the directions of this Court in terms of the order dated 29.05.2020 in WP No.8163 of 2020."
- b. Accordingly, the Respondent No.1 herein filed a representation before the Hon'ble Governor of the State of Andhra Pradesh seeking implementation of the order dated 29.05.2020 passed by the Hon'ble High Court.
- c. The Secretary, Governor of the State of Andhra Pradesh thereafter issued letter dated 21.07.2020 to the Petitioner herein stating that the Hon'ble Governor of the State has been pleased to direct the government to take necessary action as per the directions of the High Court. A true copy of letter dated 21.07.2020 issued by the Secretary, Governor of Andhra Pradesh to the Respondent No.1 herein is annexed herewith and marked as **ANNEXURE RA-2** (pages 5 to 7).

3. The present application is *bona fide* and in the interests of justice.

PRAYER

It is therefore most respectfully prayed that this Hon'ble Court may be pleased to:

- a. Permit the Respondent No.1 to bring on record additional facts and document i.e., ANNEXURE RA-1 by way of the present application;

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b. Pass such order orders as this Hon'ble Court may deem fit and proper in the circumstances of the case;

FOR THIS ACT OF KINDNESS, THE APPLICANT AS IN DUTY BOUND SHALL FOREVER PRAY



Filed By

K Parameshwar

Advocate for Respondent No.1

Filed On: 22.07.2020

Place: New Delhi

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

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IA No. /2020

IN

SPECIAL LEAVE PETITION(C) NO. 7294/2020

In the matter of:

State of Andhra Pradesh ... Petitioner

Versus

N Ramesh Kumar, IAS & Ors. ... Respondents

Affidavit on behalf of Respondent No.1

I, Dr.N.Ramesh Kumar IAS, Aged about 64 years, S/o. Late Ravindranath Chowdary, R/o.Plot.No.59, Street.No.3, Prashashan Nagar, Jubilee Hills, Hyderabad, do hereby solemnly affirm and sincerely state on oath as follows:

1. That I am the Respondent No.1 in this Special Leave Petition and am authorized to swear this affidavit and am aware of the facts of the case.
2. That I have read the contents of accompanying application and I state that the facts stated in this application are true to my knowledge and belief as gathered from the records of the case, nothing material has been concealed therefrom.
3. That the Annexure are true copies of their respective originals.

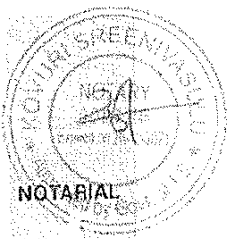

DEPONENT

VERIFICATION

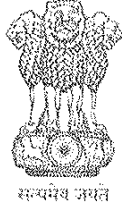
I, the Deponent above named do hereby verify that the contents of paras 1 to 3 of my above affidavit are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.

Verified at _____ on this ____ day of July, 2020.


DEPONENT



ATTESTED
KOVURI SREENIVASULU
ADVOCATE & NOTARY
H No. 1-1/5, Old Hazipet, Miyapur
& R.D.M. Chaitanyam



सत्यमेव जयते

SECRETARY TO GOVERNOR
ANDHRA PRADESH

ANNEXURE RA-1

RAJ BHAVAN
VIJAYAWADA - 520 002

Lr. No.207/Secy. to Governor/2020, Dated: 21.7.2020.

To
Dr. N. Ramesh Kumar, IAS (Rtd.),
Andhra Pradesh.

Sir,

Sub: Dr. N. Ramesh Kumar, IAS (Rtd.) - Appeal for restoration -
Implementation of Hon'ble High Court Judgement Dt: 29.5.2020.

Ref: Rep. of Dr. N. Ramesh Kumar, IAS (Rtd.), Dated: 17.7.2020.

* * * *

Vide ref. cited above you had submitted a representation to the Hon'ble Governor personally on 20.7.2020 in pursuance of the instructions of the Hon'ble High Court in the Contempt Case No. 565 of 2020 hearing held on 17.7.2020 with a request to the Hon'ble Governor to restore as State Election Commissioner in terms of the Judgement Dated 29.5.2020.

In this respect the Hon'ble Governor after examining the representation, order in the Contempt Case and the Hon'ble High Court order in W.P. No. 8163 of 2020 has been pleased to direct the government for taking necessary action as per the directions of the Hon'ble High Court of A.P in its order in W.P. No. 8163 of 2020 dated 29.5.2020.

Yours faithfully,


Secretary to Governor