

ITEM NO.19

COURT NO.12

SECTION XI-A

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

Petition(s) for Special Leave to Appeal (C) No(s).5550-5559/2016

(Arising out of impugned final judgment and order dated 21-12-2015 in WA No.1416/2015 1440/2015 21-12-2015 in WA Nos.1441/2015 1442/2015 1479/2015 1503/2015 1505/2015 1482/2015 2342/2015 21-12-2015 in WPC No.19204/2005 1488/2015 6316/2010 19427/2009 21173/2012 33110/2010 30569/2010 9959/2011 20180/2010 32207/2011 26208/2005 passed by the High Court Of Kerala At Ernakulam)

KERALA STATE BEVERAGES (M&M) CORP. LTD.

Petitioner(s)

VERSUS

P P SURESH AND ORS. ETC. ETC.

Respondent(s)

WITH

SLP(C) No. 33452-33470/2016 (XI-A)
 (IA No.133238/2017-INTERVENTION APPLICATION)

SLP(C) No.6757/2017 (XI-A)

SLP(C) No.12573/2017 (XI-A)

Date : 30-04-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
 HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) Mr. Jaideep Gupta, Sr. Adv.
 Mr. G. Prakash, AOR
 Mr. Jishnu M.L., Adv.
 Ms. Priyanka Prakash, Adv.
 Ms. Beena Prakash, Adv.

Mr. Jogy Scaria, AOR

For Respondent(s) Mr. Ramesh Babu M. R., AOR
 Mr. Chandy Oommen, Adv.

Mr. Saiby Jose Kidangoor, Adv.
 Mr. Nazia Hasan, Adv.
 Mohd. Monish, Adv.
 Mr. Sajith. P, AOR

Mr. M.Gireesh Kumar, Adv.
Mr. Ankur S. Kulkarni, AOR
Mr. Sriram P., Adv.

Mr. Sureshan P., AOR
Ms. Molly Jacob, Adv.
Mr. B.S.Sharma, Adv.
Mr. M. T. George, AOR
Mr. G. Prakash, AOR
Mr. S. Mahendran, AOR

Mr. Roy Abraham, Adv.
Ms. Reena Roy, Adv.
Ms. Seema Jain, Adv.
Mr. Akhil Abraham, Adv.
Mr. Himinder Lal, AOR

Mr. Renjith B. Marar, Adv.
Ms. Lakshmi N. Kaimal, AOR
Mr. Anil Sharma, Adv.

Mr. Venkita Subramoniam T.R, AOR
Mr. Rahat Bansal, Adv.
Mr. Varun Mudgal, Adv.

Mr. Lakshmeesh S. Kamath, AOR
Mr. Soheb Rahman, Adv.

Mr. Jogy Scaria, AOR

Mr. V. K. Biju, AOR
Mr. Abhay Pratap Singh, Adv.

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

By an order dated 20.09.2018, this Court stayed appointments in the Kerala State Beverages (M&M) Corp.Ltd.). In modification of the order dated 20.9.2018, this Court passed an order dated 26.10.2018 by which it was made clear that 25% of the daily wage employment vacancies in the Beverages Corporation shall stand reserved to be filled by Abkari Workers. It was made

clear that the said order shall apply to those Abkari workers, whose services were terminated due to ban of Arrack w.e.f. 1.4.1996. We enquired from Mr. Jaideep Gupta, learned senior counsel appearing on behalf of the State of Kerala and Beverages Corporation about the compliance of the order passed on 26.10.2018. The learned senior counsel does not have any specific information about the number of posts that were available in the Corporation, the number of posts filled up in the Corporation after 20.2.2002 and as to whether there was a reservation of 25% of the daily wage employment vacancies in the Corporation. He submitted that the daily wage vacancies no more exist in the Corporation.

We direct the State Government, the Beverages Corporation and Abkari Workers Welfare Fund Board to file an affidavit giving details about the number of vacancies that have arisen in the Corporation after 20.2.2002, the number of vacancies that have been filled up after 20.2.2002 and whether pursuant to the order dated 26.10.2018 directing reservation of 25% of the daily wage employment, vacancies in the petitioner-Company which arose after 20.2.2002 have been reserved for Abkari workers.

Mr.V.K.Biju, learned counsel for respondent No.55 in SLP(C) No.5550-5559 of 2016 submits that he intends to file a contempt petition for willful disobedience of the order passed by us on 26.10.2018. He is free to do so.

Affidavits as directed above may be filed within six weeks from today. Abkari Workers Welfare Fund Board is impleaded as additional respondent in SLP(C) No.33452-33470 of 2016 at the oral request made by Mr. Gupta, learned senior counsel for the petitioner.

Issue notice to the newly added party-respondent.

List this matter on 16.07.2019.

(B.Parvathi)
Court Master

(Kailash Chander)
Assistant Registrar