

**IN THE SUPREME COURT OF INDIA
EXTRA-ORDINARY APPELLATE/INHERENT JURISDICTION**

Special Leave Petition (Civil) No 4268 of 2021

State of Telangana & Ors

... Petitioner(s)

Versus

G Ayyappa Shiva Kumar & Ors

... Respondent(s)

WITH

Contempt Petition (Civil) No 143 of 2022

in

Special Leave Petition (Civil) No 4268 of 2021

O R D E R

- 1 Mr C S Vaidyanathan, senior counsel appearing on behalf of the petitioners, states that he has instructions to apply unconditionally for the withdrawal of the Special Leave Petition.
- 2 During the pendency of these proceedings, on 14 September 2021, this Court had observed as follows:

“1 Pursuant to the last listing of these proceedings on 22 March 2021, an additional affidavit has been filed by the Director, Telugu Akademi on behalf of the fifth petitioner. The affidavit indicates that two meetings were convened by the Telugu Akademi, Telangana at the office of the Director, Telugu Akademi, Andhra Pradesh Telugu Akademi Society and at the Telugu Akademi Telangana, Himyatnagar Campus. In the first meeting held on 13 August 2021, both the Directors resolved to appoint Auditors for the certification of funds and to certify the ratio of 58.32:41.68 as on 2 June 2014 to be divided between A P Telugu Akademi Society and Telugu Akademi Telangana in terms of the Andhra Pradesh Reorganization Act

2014. A decision was also taken to certify the sanctioned posts, working strength and vacancies by both the Directors according to the cadre strength as on 2 June 2014 along with existing pensioners. The affidavit states that at a second meeting held on 18 August 2021, resolutions have been agreed upon in regard to:

- (i) Allocation of posts;
- (ii) Allocation of employees; and
- (iii) Apportionment of bank balances and pension funds.

2 During the course of the hearing, Mr C S Vaidyanathan, Senior Counsel appearing on behalf of the petitioners, states, on instructions, that necessary steps for implementing the above resolutions, including for the disbursement of bank balances and funds, as apportioned, shall be taken within a period of two weeks from today. This exercise shall, in terms of the statement made before this Court, be completed within a period of two weeks.

3 As regards the bifurcation of assets, Mr C S Vaidyanathan seeks a further opportunity to place relevant material on the record.

4 It may be noted that Mr K V Viswanathan, Senior Counsel appearing on behalf of the respondents, has, on the issue of bifurcation of assets, relied upon a decision rendered by this Court on 18 March 2016 in **Andhra Pradesh State Council of Higher Education v Union of India & Ors¹**, particularly Paragraph 24 and 25.

5 List the Special Leave Petition for considering further directions on 6 October 2021.”

- 3 The statement which has been made before this Court on behalf of the State of Telangana, recorded in paragraph 2 of the order, must be duly fulfilled. An amount of Rs 92,94,04,216.90 has been transferred by the petitioners in pursuance of the statement which was made on 14 September 2021. The balance shall be paid as set out below.
- 4 Mr K V Vishwanathan, senior counsel, submits that interest should be directed to be paid from the appointed date.

¹Civil Appeal Nos 3019-3020 of 2016, Annexure P-8 of the paper book

- 5 The petitioners shall, within a period of two weeks from the date of this order, transfer the balance which has been withheld, together with interest at the rate of six per cent per annum. In the facts and circumstances, interest shall be payable with effect from the date of the judgment of the High Court.
- 6 Since the Special Leave Petition against the judgment of the High Court is being unconditionally withdrawn by the petitioners, all parties shall necessarily be bound by the judgment of the High Court and action in compliance shall be completed within a period of one month from the date of this order.
- 7 The Special Leave Petition shall accordingly stand disposed of as withdrawn.
- 8 In view of the withdrawal of the Special Leave Petition, the Contempt Petition shall stand disposed of leaving it open to the petitioners in the contempt proceedings to pursue remedies according to law.
- 9 Pending application, if any, stands disposed of.

.....J.
[Dr Dhananjaya Y Chandrachud]

.....J.
[Hima Kohli]

New Delhi;
April 29, 2022
-S-

ITEM NO.1

COURT NO.4

SECTION XII-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).4268/2021

(Arising out of impugned final judgment and order dated 22-01-2021 in WP No. 21366/2020 passed by the High Court for the State of Telangana at Hyderabad)

STATE OF TELANGANA & ORS.

Petitioner(s)

VERSUS

G. AYYAPPA SHIVA KUMAR & ORS.

Respondent(s)

(WITH IA No. 36894/2022 - CLARIFICATION/DIRECTION)

WITH

CONMT.PET.(C) No. 143/2022 in SLP(C) No. 4268/2021 (XII-A)
 (FOR ADMISSION)

Date : 29-04-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
 HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. C.S. Vaidyanathan, Sr. Adv.
 Mr. P. Venkat Reddy, Adv.
 Mr. Prashant Kr. Tyagi, Adv.
 Mr. P. Srinivas Reddy, Adv.
 For M/S. Venkat Palwai Law Associates, AOR

Mr. Sridhar Potaraju, Adv.
 Mr. Gaichangpou Gangmei, AOR
 Mr. Arjun D. Singh, Adv.
 Ms. Shiwani Tushir, Adv.
 Mr. Rajat Srivastava, Adv.

For Respondent(s) Mr. K.V. Vishwanathan, Sr. Adv.
 Mr. Mahfooz Ahsan Nazki, AOR
 Mr. Polanki Gowtham, Adv.
 Mr. Shaik Mohamad Haneef, Adv.
 Mr. T. Vijaya Bhaskar Reddy, Adv.
 Ms. Rajeswari Mukherjee, Adv.
 Mr. K.V. Girish Chowdary, Adv.

Mr. John Mathew, AOR

Mr. Sridhar Potaraju, Adv.
 Mr. Gaichangpou Gangmei, AOR

Mr. Arjun D. Singh, Adv.
Ms. Shiwani Tushir, Adv.
Mr. Rajat Srivastava, Adv.

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

- 1 In terms of the signed order, the Special Leave Petition and the Contempt Petition are disposed of.
- 2 Pending application, if any, stands disposed of.

**(SANJAY KUMAR-I)
AR-CUM-PS**

**(SAROJ KUMARI GAUR)
COURT MASTER**

(Signed order is placed on the file)