

ITEM NO.35 Court 8 (Video Conferencing)

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). 6236/2019

(Arising out of impugned final judgment and order dated 22-02-2019 in WA No. 678/2019 passed by the High Court Of Kerala At Ernakulam)

VISWANATHAN NAIR K.S

Petitioner(s)

VERSUS

THOMAS PHILIP & ORS.

Respondent(s)

IA No. 127767/2020 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 52164/2019 - VACATING STAY)

Date : 26-03-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. M. Gireesh Kumar, Adv.
 Mr. Ankur S. Kulkarni, AOR
 Mr. S. Parthasarathi, Adv.

For Respondent(s) Mr. Deepak Prakash, AOR
 Mr. Nachiketa Vajpayee, Adv.
 Ms. Divyangna Malik, Adv.
 Mr. Abhishek Bhati, Adv.
 Ms. Prerna Robin, Adv.

Mr. Jishnu M.L., Adv.
 Ms. Priyanka Prakash, Adv.
 Ms. Beena Prakash, Adv.
 Mr. G. Prakash, AOR

Mr. C. K. Sasi, AOR

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

On 26.02.2021 it was agreed that to put the controversy at rest, the ballots lying in a sealed cover can also be counted and it could be determined whether the petitioner or respondent No.1 stands elected. This exercise was directed to be undertaken by the Cooperative Arbitration Court under the Kerala Cooperative

Societies Act, 1969 as aforesaid by learned counsel for the parties.

The Cooperative Arbitration Court has carried the *de novo* tabulation of the result in terms of that order and has now submitted a report before us in terms whereof the petitioner has got 492 votes while respondent No.1 has got 537 votes. There is no doubt that it is respondent No.1 who stands elected.

In view of the aforesaid, nothing survives in the present Special Leave Petition which is accordingly dismissed.

Pending applications stand disposed of.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)