

ITEM NO.101  
(PH)

COURT NO.11

SECTION XIA

S U P R E M E C O U R T O F  
R E C O R D O F P R O C E E D I N G S

I N D I A

Civil Appeal No.4157/2015

THE KERALA BAR HOTELS ASSOCIATION & ANR.

Appellant(s)

VERSUS

STATE OF KERALA AND ORS.

Respondent(s)

(With appln.for permission to file additional documents, exemption  
from filing O.T. and interim relief and office report)

WITH

C.A. No. 4119/2015  
(With Office Report)

C.A. No. 4120/2015  
(With Interim Relief and Office Report)

C.A. No. 4121/2015  
(With Interim Relief and Office Report)

C.A. No. 4122/2015  
(With Interim Relief and Office Report)

C.A. No. 4123/2015

C.A. No. 4124/2015  
(With Interim Relief and Office Report)

C.A. No. 4125/2015  
(With appln.(s) for permission to file additional documents and  
Interim Relief and Office Report)

C.A. No. 4126-4136/2015  
(With appln.(s) for impleadment as party respondent and Interim  
Relief and Office Report)

C.A. No. 4137-4156/2015  
(With appln.(s) for impleadment and Interim Relief and Office  
Report)

C.A. No. 4157/2015

Signature Not Verified

(With appln.(s) for exemption from filing O.T. and appln.(s) for  
Digitally signed by  
Usha Rani Bhardwaj  
Date: 2015.08.25

permission to file additional documents and appln.(s) for exemption  
16:32:19 IST  
Reason:

from filing O.T. and appln.(s) for permission to file additional  
documents and Interim Relief and Office Report)

C.A. No. 4158-4159/2015  
(With Interim Relief and Office Report)

C.A. No. 4160/2015  
(With Interim Relief and Office Report)

C.A. No. 4161-4165/2015  
(With Interim Relief and Office Report)

C.A. No. 4166/2015  
(With Interim Relief and Office Report)

C.A. No. 4167/2015  
(With Interim Relief and Office Report)

C.A. No. 4168/2015  
(With Interim Relief and Office Report)

C.A. No. 4169/2015  
(With appln.(s) for permission to file additional documents and  
appln.(s) for permission to file additional documents and Interim  
Relief and Office Report)

C.A. No. 4170/2015  
(With appln.(s) for permission to file additional documents and  
Interim Relief and Office Report)

C.A. No. 4171/2015  
(With Interim Relief and Office Report)

C.A. No. 4172/2015  
(With Interim Relief and Office Report)

C.A. No. 4173/2015  
(With Interim Relief and Office Report)

C.A. No. 4174/2015  
(With Interim Relief and Office Report)

C.A. No. 4175/2015  
(With Interim Relief and Office Report)

C.A. No. 4999/2015  
(With appln.(s) for permission to file synopsis and list of dates  
and Interim Relief and Office Report)

C.A. No. 5000/2015

C.A. No. 5374/2015  
(With Interim Relief and Office Report)

C.A. No. 4998/2015

3

C.A. No. 5375/2015  
(With appln.(s) for exemption from filing O.T. and Interim Relief  
and Office Report)

C.A. No. 5032/2015

C.A. No. 5373/2015  
(With Interim Relief and Office Report)

C.A. NO.6268/2015  
(With Interim Relief and Office Report)

C.A. No. 5791/2015

C.A. No. 5372/2015  
(With appln.(s) for directions and appln.(s) for impleadment and  
appln.(s) for permission to file additional documents)

C.A. No. 5792/2015

C.A. No. 5793/2015

C.A. No. 5797/2015

C.A. No. 5799/2015

C.A. No. 5800/2015

(With appln.(s) for permission to file additional documents and Interim Relief and Office Report)

C.A. No. 5801-5803/2015

C.A. NO.6271/2015

(With Office Report)

C.A. NO.6272/2015

(With Office Report)

CIVIL APPEAL NO.6269/2015

(With Office Report)

C.A. No. 5790/2015

(With Office Report)

C.A. No. 4118/2015

C.A. NO.6273-6274/2015

CIVIL APPEAL NO.6324/2015

(With office report)

SLP(C)No...../2015 (CC.No.15328/2015)

(With appln.for permission to file SLP and office report)

4

Date : 25/08/2015 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAMAJIT SEN

HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For the Appellant: Mr. C.A. Sunderam, Sr. Adv.

CA.No.4157/2015 Ms.Rohini Musa, Adv.

Mr. Zafar Inayat, Adv.

Mr. Abhishek Gupta, Adv.

Mr. Romy Chacko, Adv.

C.A.No.4118/2015 Mr.Mukul Rohtagi, Sr.Adv.(NP)

Mr. Arunabh Chowdhury, Adv.

Mr. Anupam Lal Das, Adv.

Mr. Parthiv Goswami, Adv.

Mr. Joe Joseph Kochikunnjel, Adv.

Mr.Vaibhav Tomar, Adv.

Ms.Ranjeeta Rohtagi, Adv.

CA.No.4175/2015 Mr. Harin P. Raval, Sr.Adv.(NP)

Mr. Dileep Poolakkot, Adv.

Mrs. Ashlu Harshad, Adv.

Mr. Anando Mukherjee, Adv.

Mr. Harshad V. Hameed, Adv.

Mr.Nipun Saxena, Adv.

CA.No.4160/2015 Mr. Harish N. Salve, Sr.Adv.

Mr.Romy Chacko, Adv.

Mr. D.P. Mohanan, Adv.

CA.No.4119/2015	Mr.Rajeev Dhavan, Sr.Adv.(NP) Ms. Sumita Hazarika, Adv. Mr. Kabir Ghosh, Adv. Mr. Joe Joseph Kochikunnel, Adv.
C.A.No.4120/15	Mr. Chander Uday Singh, Sr. Adv.(NP) Ms. Sumita Hazarika,Adv. Mr. Joe Joeseph Kochikunnel, Adv. Mr. Dhavan Mehrotra, Adv. Mr. Rishi K.S. Gautam, Adv.
C.A.No.4121/2015	Mr. Parthiv K. Goswami, Adv. Ms. Diksha Rai,Adv.
CA.Nos.4122,4126, 4137-56/2015	Mr. L. Nageswara Rao, Sr. Adv.(NP) Mr. C.C. Thomas, Sr. Adv. Mr. Roy Abraham, Adv. Ms. Seema Jain, Adv. Mr. Himinder Lal,Adv.
	5
CA.Nos.4123,6271/15	Mr. V. K. Biju,Adv. Mr. Nishad L.S., Adv. Mr. Satheesh Mohanan, Adv. Mr. Maneesh N., Adv. Ms. Savita Devi, Adv.
CA.No.4167/2015	Ms. A. Sumathi,Adv.
CA.No.4168-4171/15 5799/2015	Mr. Sajith. P,Adv. Mr. Kumar Gaurav, Adv. Ms. Nazia Hasan, Adv.
CA.No.4172-4174/15,	Ms. Malini Poduval,Adv.
CA.No.4999/15	Mr. Sudhi Vasudevan, Adv. Mr. Nishe Rajen Shonker,Adv.
CA.No.5000/15, CA.No.6269/15	Mr. P. K. Manohar,Adv.
CA.No.5374/15	Mr. Venkita Subramoniam T. R.,Adv. Mr. George Poonthottam, Adv. Mr. Dileep Pillai, Adv. Mr. Ajay K. Jain, Adv. Mr. Atul Shankar Vinod, Adv. Mr. M. P. Vinod,Adv.
CA.No.5032/2015	Mr. Harish N. Salve, Sr.Adv.(NP) Mr. Satheesh Mohanan, Adv. Mr. A. Raghunath,Adv.
CA.No.5372/2015	Mr. M. P. Shorawala,Adv.
CA.No.6273-6274/15	Ms. Sadhana Sandhu,Adv. Ms. Ipsita Behura, Adv.
CA.No.5792-5793/15, 5800, 5801-03/15, & CA.No. 5790/15	Mr. N. Venkatraman, Sr. Adv.(NP) Mr. Sanand Ramakrishnan,Adv. Mr. Rajeev Mishra, Adv.
CA.No.5375/15,	Mr. George Ponthoottam, Adv. Mr. Dileep Pillai, Adv. Mr. Ajay K. Jain, Adv. Mr. Atul Shankar Vinod, Adv. Mr. M.P. Vinod, Adv.
CA.Nos.4124,4125,	Mr. N. Venkataraman, Sr.Adv.(NP)

4998/15, 5791/15, Ms.Sudhi Vasudevan, Adv.  
Mr. G. Prakash, Adv.  
Ms.Prerna Prakash, Adv.  
Ms. Beena Prakash, Adv.

6

Ms. Priyanka Parkash, Adv  
Mr.M.L. Jishnu, Adv.

C.A.No.6324/15 Mr. Amit Singh Chadha, Sr.Adv.(NP)  
Mr. Dilpreet Singh, Adv.  
Mr. V.K. Sidharthan, Adv.

C.A.No.4161-65/2015 Mr.B.P. Patil, Sr.Adv.(NP)  
Mr.Romy Chako, Adv.  
Mr. D.P. Mohanty, Adv.  
Mr. M.C. Ashi, Adv.

For Respondents:  
State of Kerala Mr. Kapil Sibal, Sr.Adv.  
Mr.V.Giri, Sr.Adv.  
Mr.Ramesh Babu M.R., Adv.  
Mr. Mohammed Sadique T.A., Adv.  
Mr. Nizam Pasha, Adv.  
Ms. Akanksha Nagarajan, Adv.  
Mr. Koshy John, Adv.  
Mr. Aditya Pujari, Adv.  
Mr. Mohan Kumar, Adv.  
Ms. Swati Setia, Adv.  
Ms. S. Shankar, Adv.  
Mr. Manav Vohra, Adv.  
Mr. Tom K. Thomas, Adv.

Mr. Zulfiker Ali P.S.,Adv.

For Impleadment in  
CA.No.4118/2015 Mr. Renjith B. Marar, Adv.  
Ms. Lakshmi N. Kaimal,Adv.  
Ms. Anu Dixit Kaushik, Adv

CA.No.5375/2015 Mr. Wills Mathews, Adv.  
Mr.Amit Kumar Pathak, Adv.  
Mr. Ginesh P., Adv.  
Mr. Shree Pal Singh, Adv.

CA.No.4118/2015 Mr. Kaleeswaram Raj, Adv.  
R.No.4 Mr. Suvidutt M.S., Adv.  
Mr. C.R. Rekesh Sharma, Adv.  
Mr. Anantha Narayahna M.G., Adv.  
Mr. Syed Mehdi Imam,Adv.

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

Mr. Kapil Sibal learned Senior Counsel appearing on  
behalf of the Respondents resumed his arguments at 10.40  
a.m. and concluded at 2.30 p.m.

Thereafter Mr. Kaleeswaram learned Counsel appearing  
for Respondent No.4 in CA.No.4118/2015 argued about half an

7

hour.

Then Mr. Wills Mathews learned Counsel for Respondent  
in CA.No.5375/2015 made his submissions for ten minutes. He  
has filed an application for directions objecting therein  
for appearing Mr. Mukul Rohtagi, learned Attorney General  
for a private party against the State Government in the  
matters. He seeks permission to withdraw the said  
application. The application is dismissed as withdrawn.

Thereafter, Mr. C.A. Sundaram started his submissions at 3.10 p.m. and was on his legs till 4.00 p.m. when the Court rose for the day.

The matters remained part heard.

(USHA BHARDWAJ) AR-CUM-PS ET	(NEELAM GULATI) COURT MASTER	(SAROJ SAINI) COURT MASTER 1
------------------------------------	---------------------------------	------------------------------------

ITEM NO.101 (PH)	COURT NO.11	SECTION XIA
S U P R E M E C O U R T O F		I N D I A
RECORD OF PROCEEDINGS		

Civil Appeal      No.4157/2015

THE KERALA BAR HOTELS ASSOCIATION & ANR.	Appellant(s)
VERSUS	

STATE OF KERALA AND ORS.	Respondent(s)
--------------------------	---------------

(With appln.for permission to file additional documents, exemption from filing O.T. and interim relief and office report)

WITH  
C.A. No. 4119/2015  
(With Office Report)

C.A. No. 4120/2015  
(With Interim Relief and Office Report)

C.A. No. 4121/2015  
(With Interim Relief and Office Report)

C.A. No. 4122/2015  
(With Interim Relief and Office Report)

C.A. No. 4123/2015

C.A. No. 4124/2015  
(With Interim Relief and Office Report)

C.A. No. 4125/2015  
(With appln.(s) for permission to file additional documents and Interim Relief and Office Report)

C.A. No. 4126-4136/2015  
(With appln.(s) for impleadment as party respondent and Interim Relief and Office Report)

C.A. No. 4137-4156/2015  
(With appln.(s) for impleadment and Interim Relief and Office Report)

C.A. No. 4157/2015  
Signature Not Verified

(With appln.(s) for exemption from filing O.T. and appln.(s) for Digitally signed by  
Usha Rani Bhardwaj  
Date: 2015.08.25

permission to file additional documents and appln.(s) for exemption  
16:32:19 IST

Reason:

from filing O.T. and appln.(s) for permission to file additional documents and Interim Relief and Office Report)

2

C.A. No. 4158-4159/2015  
(With Interim Relief and Office Report)

C.A. No. 4160/2015  
(With Interim Relief and Office Report)

C.A. No. 4161-4165/2015  
(With Interim Relief and Office Report)

C.A. No. 4166/2015  
(With Interim Relief and Office Report)

C.A. No. 4167/2015  
(With Interim Relief and Office Report)

C.A. No. 4168/2015  
(With Interim Relief and Office Report)

C.A. No. 4169/2015  
(With appln.(s) for permission to file additional documents and appln.(s) for permission to file additional documents and Interim Relief and Office Report)

C.A. No. 4170/2015  
(With appln.(s) for permission to file additional documents and Interim Relief and Office Report)

C.A. No. 4171/2015  
(With Interim Relief and Office Report)

C.A. No. 4172/2015  
(With Interim Relief and Office Report)

C.A. No. 4173/2015  
(With Interim Relief and Office Report)

C.A. No. 4174/2015  
(With Interim Relief and Office Report)

C.A. No. 4175/2015  
(With Interim Relief and Office Report)

C.A. No. 4999/2015  
(With appln.(s) for permission to file synopsis and list of dates and Interim Relief and Office Report)

C.A. No. 5000/2015

C.A. No. 5374/2015  
(With Interim Relief and Office Report)

C.A. No. 4998/2015

3

C.A. No. 5375/2015  
(With appln.(s) for exemption from filing O.T. and Interim Relief and Office Report)

C.A. No. 5032/2015

C.A. No. 5373/2015  
(With Interim Relief and Office Report)

C.A. NO.6268/2015  
(With Interim Relief and Office Report)

C.A. No. 5791/2015

C.A. No. 5372/2015  
(With appln.(s) for directions and appln.(s) for impleadment and  
appln.(s) for permission to file additional documents)

C.A. No. 5792/2015

C.A. No. 5793/2015

C.A. No. 5797/2015

C.A. No. 5799/2015

C.A. No. 5800/2015  
(With appln.(s) for permission to file additional documents and  
Interim Relief and Office Report)

C.A. No. 5801-5803/2015

C.A. NO.6271/2015  
(With Office Report)

C.A. NO.6272/2015  
(With Office Report)

CIVIL APPEAL NO.6269/2015  
(With Office Report)

C.A. No. 5790/2015  
(With Office Report)

C.A. No. 4118/2015

C.A. NO.6273-6274/2015

CIVIL APPEAL NO.6324/2015  
(With office report)  
SLP(C)No...../2015 (CC.No.15328/2015)  
(With appln.for permission to file SLP and office report)

4

Date : 25/08/2015 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAMAJIT SEN  
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For the Appellant: Mr. C.A. Sunderam, Sr. Adv.  
CA.No.4157/2015 Ms.Rohini Musa, Adv.  
Mr. Zafar Inayat, Adv.  
Mr. Abhishek Gupta, Adv.  
Mr. Romy Chacko,Adv.

C.A.No.4118/2015 Mr.Mukul Rohtagi, Sr.Adv.(NP)  
Mr. Arunabh Chowdhury, Adv.  
Mr. Anupam Lal Das,Adv.  
Mr. Parthiv Goswami, Adv.  
Mr. Joe Joseph Kochikunnjel, Adv.  
Mr.Vaibhav Tomar, Adv.  
Ms.Ranjeeta Rohtagi, Adv.

CA.No.4175/2015 Mr. Harin P. Raval, Sr.Adv.(NP)



Mr. Dileep Poolakkot, Adv.  
Mrs. Ashlu Harshad, Adv.  
Mr. Anando Mukherjee, Adv.  
Mr. Harshad V. Hameed, Adv.  
Mr. Nipun Saxena, Adv.

- CA.No.4160/2015 Mr. Harish N. Salve, Sr.Adv.  
Mr. Romy Chacko, Adv.  
Mr. D.P. Mohanan, Adv.
- CA.No.4119/2015 Mr. Rajeev Dhavan, Sr.Adv.(NP)  
Ms. Sumita Hazarika, Adv.  
Mr. Kabir Ghosh, Adv.  
Mr. Joe Joseph Kochikunnel, Adv.
- C.A.No.4120/15 Mr. Chander Uday Singh, Sr. Adv.(NP)  
Ms. Sumita Hazarika, Adv.  
Mr. Joe Joeseph Kochikunnel, Adv.  
Mr. Dhavan Mehrotra, Adv.  
Mr. Rishi K.S. Gautam, Adv.
- C.A.No.4121/2015 Mr. Parthiv K. Goswami, Adv.  
Ms. Diksha Rai, Adv.
- CA.Nos.4122,4126,  
4137-56/2015 Mr. L. Nageswara Rao, Sr. Adv.(NP)  
Mr. C.C. Thomas, Sr. Adv.  
Mr. Roy Abraham, Adv.  
Ms. Seema Jain, Adv.  
Mr. Himinder Lal, Adv.
- CA.Nos.4123,6271/15 Mr. V. K. Biju, Adv.  
Mr. Nishad L.S., Adv.  
Mr. Satheesh Mohanan, Adv.  
Mr. Maneesh N., Adv.  
Ms. Savita Devi, Adv.
- CA.No.4167/2015 Ms. A. Sumathi, Adv.
- CA.No.4168-4171/15 Mr. Sajith. P, Adv.  
5799/2015 Mr. Kumar Gaurav, Adv.  
Ms. Nazia Hasan, Adv.
- CA.No.4172-4174/15, Ms. Malini Poduval, Adv.
- CA.No.4999/15 Mr. Sudhi Vasudevan, Adv.  
Mr. Nishe Rajen Shonker, Adv.
- CA.No.5000/15,  
CA.No.6269/15 Mr. P. K. Manohar, Adv.
- CA.No.5374/15 Mr. Venkita Subramoniam T. R., Adv.  
Mr. George Poonthottam, Adv.  
Mr. Dileep Pillai, Adv.  
Mr. Ajay K. Jain, Adv.  
Mr. Atul Shankar Vinod, Adv.  
Mr. M. P. Vinod, Adv.
- CA.No.5032/2015 Mr. Harish N. Salve, Sr.Adv.(NP)  
Mr. Satheesh Mohanan, Adv.  
Mr. A. Raghunath, Adv.
- CA.No.5372/2015 Mr. M. P. Shorawala, Adv.
- CA.No.6273-6274/15 Ms. Sadhana Sandhu, Adv.  
Ms. Ipsita Behura, Adv.
- CA.No.5792-5793/15, Mr. N. Venkatraman, Sr. Adv.(NP)

5800, 5801-03/15, Mr. Sanand Ramakrishnan, Adv.  
& CA.No. 5790/15 Mr. Rajeev Mishra, Adv.

CA.No.5375/15, Mr. George Ponthoottam, Adv.  
Mr. Dileep Pillai, Adv.  
Mr. Ajay K. Jain, Adv.  
Mr. Atul Shankar Vinod, Adv.  
Mr. M.P. Vinod, Adv.

CA.Nos.4124,4125, Mr. N. Venkataraman, Sr.Adv.(NP)  
4998/15, 5791/15, Ms.Sudhi Vasudevan, Adv.  
Mr. G. Prakash, Adv.  
Ms.Prerna Prakash, Adv.  
Ms. Beena Prakash, Adv.

6

Ms. Priyanka Parkash, Adv  
Mr.M.L. Jishnu, Adv.

C.A.No.6324/15 Mr. Amit Singh Chadha, Sr.Adv.(NP)  
Mr. Dilpreet Singh, Adv.  
Mr. V.K. Sidharthan, Adv.

C.A.No.4161-65/2015 Mr.B.P. Patil, Sr.Adv.(NP)  
Mr.Romy Chako, Adv.  
Mr. D.P. Mohanty, Adv.  
Mr. M.C. Ashi, Adv.

For Respondents:  
State of Kerala Mr. Kapil Sibal, Sr.Adv.  
Mr.V.Giri, Sr.Adv.  
Mr.Ramesh Babu M.R., Adv.  
Mr. Mohammed Sadique T.A., Adv.  
Mr. Nizam Pasha, Adv.  
Ms. Akanksha Nagarajan, Adv.  
Mr. Koshy John, Adv.  
Mr. Aditya Pujari, Adv.  
Mr. Mohan Kumar, Adv.  
Ms. Swati Setia, Adv.  
Ms. S. Shankar, Adv.  
Mr. Manav Vohra, Adv.  
Mr. Tom K. Thomas, Adv.

Mr. Zulfiker Ali P.S.,Adv.

For Impleadment in  
CA.No.4118/2015 Mr. Renjith B. Marar, Adv.  
Ms. Lakshmi N. Kaimal,Adv.  
Ms. Anu Dixit Kaushik, Adv

CA.No.5375/2015 Mr. Wills Mathews, Adv.  
Mr.Amit Kumar Pathak, Adv.  
Mr. Ginesh P., Adv.  
Mr. Shree Pal Singh, Adv.

CA.No.4118/2015 Mr. Kaleeswaram Raj, Adv.  
R.No.4 Mr. Suvidutt M.S., Adv.  
Mr. C.R. Rekesh Sharma, Adv.  
Mr. Anantha Narayahna M.G., Adv.  
Mr. Syed Mehdi Imam,Adv.

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

Mr. Kapil Sibal learned Senior Counsel appearing on  
behalf of the Respondents resumed his arguments at 10.40  
a.m. and concluded at 2.30 p.m.

Thereafter Mr. Kaleeswaram learned Counsel appearing  
for Respondent No.4 in CA.No.4118/2015 argued about half an

hour.

Then Mr. Wills Mathews learned Counsel for Respondent in CA.No.5375/2015 made his submissions for ten minutes. He has filed an application for directions objecting therein for appearing Mr. Mukul Rohtagi, learned Attorney General for a private party against the State Government in the matters. He seeks permission to withdraw the said application. The application is dismissed as withdrawn.

Thereafter, Mr. C.A. Sundaram started his submissions at 3.10 p.m. and was on his legs till 4.00 p.m. when the Court rose for the day.

The matters remained part heard.

(USHA BHARDWAJ)  
AR-CUM-PS

(NEELAM GULATI)  
COURT MASTER

(SAROJ SAINI)  
COURT MASTER