

REVISED

ITEM NO.19

COURT NO.4

SECTION XI-A

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

Petition(s) for Special Leave to Appeal (C) No(s). 13080/2022

(Arising out of impugned final judgment and order dated 17-06-2022
in WA No. 274/2022 passed by the High Court Of Kerala At Ernakulam)

THE MANAGER MOONNIYOOR HSS

Petitioner(s)

VERSUS

THE STATE OF KERALA & ORS.

Respondent(s)

(FOR ADMISSION and I.R.)

Date : 01-08-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESHFor Petitioner(s) Mr. Shyam Divan, Sr. Adv.
Mr. Zulfiker Ali P. S, AOR
Mr. Augustine Peter, Adv.

For Respondent(s)

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

On hearing learned counsel for the petitioner we are not inclined to interfere with the impugned order.

The Special Leave Petition stands dismissed.

Faced with the aforesaid position, learned counsel submits that the impugned order does not determine the timeframe within which the decision should be taken but uses the expression

“forthwith”.

In our view, forthwith means “forthwith” and we would expect the the Government to take a decision “forthwith” which should not mean a prolongation. We do perceive that a period of about three weeks should be sufficient to take a decision, and if no decision is taken within then, the petitioner may move the High Court for said directions.

The second prayer made at this stage is that the petitioner should be permitted to at least operate the additional divisions of the 11th and 12th classes without aid in the meantime. That is an aspect which will be governed by the Circular. If such an application is filed by the petitioner, naturally it will be decided on an urgent basis not later than three weeks from the date of the application, in accordance with law.

A copy of the order to be served to the respondents.

[ASHA SUNDRIYAL]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)

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RECORD OF PROCEEDINGS

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