

ITEM NO.21

COURT NO.9

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). 14935-14936/2022

(Arising out of impugned final judgment and order dated 13-05-2022 in OPKAT No. 261/2021 and OPKAT No. 113/2021 passed by the High Court Of Kerala At Ernakulam)

ANEESH A. & ORS.**PETITIONER(S)****VERSUS****THE KERALA PUBLIC SERVICE COMMISSION & ORS.****RESPONDENT(S)**

(FOR ADMISSION and IA No.122441/2022-EXEMPTION FROM FILING O.T. and IA No.122443/2022-DELETING THE NAME OF PETITIONER/RESPONDENT)

WITH**DIARY NO(S). 25190/2022 (XI-A)**

(FOR ADMISSION and I.R. and IA No.125486/2022-CONDONATION OF DELAY IN FILING and IA No.125487/2022-EXEMPTION FROM FILING O.T.)

Date : 05-09-2022 These petitions were called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE AJAY RASTOGI
 HON'BLE MRS. JUSTICE B.V. NAGARATHNA**

For Petitioner(s)

Mr. K.V. Vishwanathan, Sr. Adv.
Mr. K. Rajeev, Adv.
Ms. Niveditha R. Menon, Adv.
Mr. Karthik S.D., Adv.
Mr. Amartya A. Sharan, Adv.
Ms. Nazish Fatima, Adv.
Mr. Arvind Gupta, AOR

Mr. V. Giri, Sr. Adv.
Mr. K.P. Satheesan, Sr. Adv.
Mr. M. Gireesh Kumar, Adv.
Mr. Ankur S. Kulkarni, AOR
Mr. Puspita Basak, Adv.

For Respondent(s)

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

Learned Counsel for the petitioners have brought to our notice the G.O. dated 02.07.1996 which was noticed while the advertisement dated 30.08.2016 came to be published, in addition to it there is a G.O. which later on came to be notified by the Government of Kerala on dated 25.11.2009 which according to the judgment impugned remained unnoticed when the advertisement was published and that appears to be the reason for which a finding was recorded by the Tribunal of the Rules of game cannot be changed at a later stage, taking note of the later G.O. dated 06.06.2019 which admittedly came to be notified much after the publication of the advertisement and holding of written examination.

That clarification is required in reference to the G.O. dated 25.11.2009 and its effect in reference to the subject post in question of High School Assistant (Physical Science), which came to be advertised by the respondents and considered by the Division Bench of the High Court in the judgment impugned.

Issue notice returnable on 19.09.2022.

Dasti, in addition, is permitted to be served.

Copy of the petition be served on the Standing Counsel for the State of Kerala.

In the meantime, status quo as on the date of judgment impugned dated 13.05.2022 shall be maintained.

(POOJA SHARMA)
COURT MASTER (SH)

(MONIKA DEY)
COURT MASTER (NSH)