

ITEM NO.102

COURT NO.11

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

Civil Appeal No(s). 6575/2014

STATE OF KERALA

Appellant(s)

VERSUS

C.D. UDAYAKUMAR & ORS.

Respondent(s)

([REMAIN ON BOARD]

IA No. 2/2013 - INTERVENTION APPLICATION)

WITH

C.A. No. 7929/2014 (XI-A)

C.A. No. 6584-6587/2014 (XI-A)

C.A. No. 6580-6583/2014 (XI-A)

C.A. No. 6576-6579/2014 (XI-A)

FOR ON IA 13/2017

FOR INTERVENTION/IMPLEADMENT ON IA 173063/2018

IA No. 173063/2018 - INTERVENTION/IMPLEADMENT)

C.A. No. 7969-7972/2014 (XI-A)

C.A. No. 7975-7977/2014 (XI-A)

C.A. No. 6588-6591/2014 (XI-A)

C.A. No. 7965-7968/2014 (XI-A)

C.A. No. 7964/2014 (XI-A)

C.A. No. 7978-7980/2014 (XI-A)

C.A. No. 7963/2014 (XI-A)

C.A. No. 7974/2014 (XI-A)

C.A. No. 7973/2014 (XI-A)

C.A. No. 2666/2015 (XI-A)

(READY AS PER REGISTRAR'S ORDER DT.25-8-2015.)

SLP(C) No. 19255/2017 (XI-A)

Diary No(s). 12748/2017 (XI-A)

FOR CONDONATION OF DELAY IN FILING ON IA 45015/2017

IA No. 45015/2017 - CONDONATION OF DELAY IN FILING)

Diary No(s). 12749/2017 (XI-A)

FOR CONDONATION OF DELAY IN FILING ON IA 44207/2017

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
44208/2017

IA No. 44207/2017 - CONDONATION OF DELAY IN FILING

IA No. 44208/2017 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

Diary No(s). 12864/2017 (XI-A)

FOR CONDONATION OF DELAY IN FILING ON IA 44349/2017

IA No. 44349/2017 - CONDONATION OF DELAY IN FILING)

Diary No(s). 12865/2017 (XI-A)

FOR CONDONATION OF DELAY IN FILING ON IA 43894/2017

IA No. 43894/2017 - CONDONATION OF DELAY IN FILING)

Diary No(s). 12866/2017 (XI-A)
(FOR CONDONATION OF DELAY IN FILING ON IA 43359/2017
IA No. 43359/2017 - CONDONATION OF DELAY IN FILING)

Diary No(s). 12867/2017 (XI-A)
FOR CONDONATION OF DELAY IN FILING ON IA 45330/2017
IA No. 45330/2017 - CONDONATION OF DELAY IN FILING)

Diary No(s). 12869/2017 (XI-A)
(FOR CONDONATION OF DELAY IN FILING ON IA 44216/2017
IA No. 44216/2017 - CONDONATION OF DELAY IN FILING)

Diary No(s). 12870/2017 (XI-A)
(FOR CONDONATION OF DELAY IN FILING ON IA 43431/2017
IA No. 43431/2017 - CONDONATION OF DELAY IN FILING)

SLP(C) No. 31514/2017 (XI-A)
(FOR ADMISSION and I.R.TO BE TAKEN UP ALONGWITH C.A.NO.6575/2014)

SLP(C) No. 1714/2018 (XI-A)

Date : 17-10-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE K.M. JOSEPH

counsel for the parties:-

Mr. R. Venkataramani, Sr. Adv.
Mr. Gireesh Kumar, Adv.
Mr. Yashraj Singh Bundela, Adv.
Mr. Praveen Vignesh, Adv.
Mr. Ankur S. Kulkarni, AOR

Mr. Jaideep Gupta, Sr. Adv.
Mr. G. Prakash, AOR
Mr. Jishnu M.L., Adv.
Mrs. Priyanak Prakash, Adv.
Mrs. Beena Prakash, Adv.

Mr. P.V. Surendranath, Sr. Adv.
Ms. Resmitha R. Chandran, Adv.
Mr. Sawan Kumar Shukla, Adv.

V.P. Seemanthini, Sr. Adv.
Mr. Nishe Rajen Shonker, AOR
Ms. Anu K. Roy, Adv.
Mr. Alim Anvar, Adv.
Mr. James P. Thomas, Adv.
Mr. Md. Apzal Ansari, Adv.

Mr. Judy James, Adv.
Mr. Nishad L.S., Adv.
Mr. Debashish Mukherjee, Adv.
Mr. Md. Apzal Ansari, Adv.

Ms. Resmitha R. Chandran, AOR

Mr. P. V. Dinesh, AOR
Ms. Sindhu T.P., Adv.
Mr. Mukund P. Unny, Adv.
Mr. Bineesh K., Adv.
Mr. Ashwini Kumar Singh, adv.

Mr. B. Ramana Murthy, AOR

Ms. Arti Singh, AOR

Mr. P. George Giri, AOR

Mr. P. A. Noor Muhamed, AOR
Mr. Shereef K.A., Adv.
Mr. Sheik Moulali Basha, adv.

Mr. Mohammed Sadique T.A., AOR

Ms. Shakun Sharma, AOR

Mr. N.M. Popli, Adv.
Mr. Shailender Popli, Adv.
Ms. Nidhi, AOR

Mr. James P. Thomas, AOR

Mr. K. Rajeev, AOR

Mr. Ramesh Babu M. R., AOR

Mr. M. P. Vinod, AOR

Ms. Rashmi Malhotra, AOR

Mr. Rabin Majumder, AOR
Ms. Akansha Srivastava, Adv.
Ms. Mousumi Roy, Adv.

Mr. P. V. Dinesh, AOR

Ms. Apoorva Agarwal, Adv.
Mr. Abhishek Singh, adv.
Mr. Hemant Sharma, adv.
Mr. Mushtaq Ahmad, AOR

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

Delay condoned.

Application for exemption from filing c/c of the impugned judgment is allowed.

We have heard learned counsel for the parties.

In the course of hearing, a suggestion fell from the Court that considering the limited number of people who are before this Court and whose grievance is that they should be governed by the 1995 Pension Scheme and taking into account that a number of them may have already retired from service, the appellants may explore the possibility of a settlement giving the benefit to the respondents before us of continuing to be governed under the same Scheme.

Learned counsel for the appellants seeks a short accommodation to obtain instructions.

We have made it clear that this would not entail opening a new chapter for all other persons who have never litigated in that behalf.

Learned counsel for the respondents states that as a matter of fact in view of the impugned orders, these respondents are so far being governed by the 1995 Scheme while this may not be so for many others.

List as part heard on 06.11.2019.

**(ASHA SUNDRIYAL)
COURT MASTER**

**(ANITA RANI AHUJA)
COURT MASTER**