

ITEM NO.36

COURT NO.6

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 for Special Leave to Appeal (C) No. 13954/2021

(Arising out of impugned final judgment and order dated 26-08-2020 in WA No. 1388/2019 passed by the High Court of Kerala at Ernakulam)

SOJI ANTONY

Petitioner(s)

VERSUS

STATE OF KERALA & ORS.

Respondent(s)

Date : 30-01-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s)

Mr. S.P. Chaly, Sr. Adv.
Mr. Ray Abraham, Adv.
Mr. Himinder Lal, AOR

For Respondent(s)

Mr. C.K. Sasi, AOR
Ms. Meena K. Poullose, Adv.

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

Heard Mr. S.P. Chaly, learned senior counsel appearing for the petitioner.

The counsel would point out that the learned single Judge of the High Court granted relief to the petitioner in her Writ Petition (Civil) No. 39880/2016, allowing her regular scale of pay from the date of her appointment on 01.06.2011. Such relief was granted on the basis of G.O.(P) No. 199/2011/G.Edn dated 01.10.2011 issued by the General Education (J) Department, Government of

Kerala (Annexure P-4). However, the Division Bench in the State's Writ Appeal, interfered with the decision taken by the learned single Judge.

The learned senior counsel emphasizes that the G.O. dated 01.10.2011 was set aside in a separate proceeding and that should have no bearing on the relief granted to the teacher, who was appointed on 01.06.2011.

Leave granted.

(DEEPAK GUGLANI)
AR-cum-PS

(KAMLESH RAWAT)
ASSISTANT REGISTRAR