

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 10712 of 2017  
(Arising out of SLP(C)NO.31237 of 2013)

ABDUL NAZEER C & ORS.

Appellant(s)

VERSUS

STATE OF KERALA & ANR.

Respondent(s)

WITH

CIVIL APPEAL NO(S). 10713-10714 of 2017  
(Arising out of SLP(C) No(s). 31956-31957/2013)

CIVIL APPEAL NO(S). 10715 of 2017  
(Arising out of SLP(C) No. 37265/2013)

CIVIL APPEAL NO(S). 10716-10721 of 2017  
(Arising out of SLP(C) No(s).38067-38072/2013)

CIVIL APPEAL NO(S). 10722 of 2017  
(Arising out of SLP(C) No. 11738/2014)

CIVIL APPEAL NO(S). 10723-10724 of 2017  
(Arising out of SLP(C) No. 31536-31537/2014)

C.A. No. 10892/2014

CIVIL APPEAL NO(S). 10727 of 2017  
(Arising out of SLP(C) No. 33/2015)

C.A. No. 1183/2015

O R D E R

Leave granted.

We have heard learned counsel for the parties.

The appellants have completed B.Com. Degree with Co-operation as a special subject and applied for the post of Branch Manager in the District Co-operative Banks in the State of Kerala, in pursuance of Notification dated 14<sup>th</sup> December, 2009 issued by the

Public Service Commission. They have been held to be ineligible on the ground that prior to Notification dated 2<sup>nd</sup> November, 2010, they did not have diploma in co-operation, as required, even if they had a B.Com. Degree with Co-operation as a special subject. The High Court has held that Notification dated 2<sup>nd</sup> November, 2010 which makes them eligible will apply prospectively.

We are of the view that the said notification was in the nature of clarification and the object of selection being to get the best candidates, the appellants could not be excluded from being considered.

Accordingly we allow these appeals, set aside the impugned order and direct that the appellants be considered eligible in the process of selection. It is made clear that any appointments already made need not be disturbed.

.....J.  
(ADARSH KUMAR GOEL)

.....J.  
(UDAY UMESH LALIT)

New Delhi,  
August 21, 2017.

ITEM NO.47

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  
R E C O R D O F P R O C E E D I N G S

in Petition(s) for Special Leave to Appeal (C) No(s). 31237/2013

(Arising out of impugned final judgment and order dated 19-03-2013 in WP No. 21919/2012 passed by the High Court Of Kerala At Ernakulam)

ABDUL NAZEER C &amp; ORS.

Petitioner(s)

VERSUS

STATE OF KERALA &amp; ANR.

Respondent(s)

(APPLICATION(S) FOR MODIFICATION/CLARIFICATION OF COURT'S ORDER  
08.10.2013 - IA 1/2015,  
FOR IMPLEADMENT - IA 2/2015  
FOR IMPLEADMENT - IA 3/2015  
FOR IMPLEADMENT - IA 4/2015  
FOR IMPLEADMENT - IA 5/2016  
FOR INTERVENTION APPLICATION - IA 6/2016  
FOR INTERVENTION/IMPLEADMENT - IA 49975/2017 )

WITH SLP(C) No(s). 31956-31957/2013 (XI -A)

(APPLICATION(S) FOR MODIFICATION/CLARIFICATION OF COURT'S ORDER  
DATED 08.10.2013 - IA 1 & 2/2015)

SLP(C) No. 37265/2013 (XI -A)

(APPLICATION(S) FOR MODIFICATION/CLARIFICATION OF COURT'S ORDER  
DATED 17.12.2013 - IA 1/2015)

SLP(C) No(s).38067-38072/2013 (XI -A)

(APPLICATION(S) FOR MODIFICATION/CLARIFICATION OF COURT'S ORDER  
DATED 17.12.2013 - IA 1-6/2015)

SLP(C) No. 11738/2014 (XI -A)

SLP(C) No. 31536-31537/2014 (XI -A)

(APPLICATION(S) FOR IMPLEADMENT - IA IA 5-6/2016  
FOR IMPLEADMENT IA 7-8/2017  
FOR EXEMPTION FROM FILING O.T. - IA 9-10/2017  
FOR VACATING STAY AND DIRECTIONS - IA 66149/2017)

C.A. No. 10892/2014 (XI -A)

SLP(C) No. 33/2015 (XI -A)

(APPLICATION FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS-IA 1/2015)

C.A. No. 1183/2015 (XI -A)  
 (APPLICATION(S) FOR IMPLEADMENT - IA 4/2016  
 FOR EXEMPTION FROM FILING ORIGINAL TRANSLATION - IA 5/2016  
 FOR APPLICATION FOR DIRECTIONS - IA 6/2016)

Date : 21-08-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL  
 HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s)

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For Respondent(s)

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Mr. Zulfiker Ali P.S.,Adv.

Mr. Kaleeswaram Raj,Adv.  
Mr. Suvidutt M.S., AOR

Mr. Jose P. Verghese,Adv.  
For B.J. Law Office

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

Leave granted in the special leave petition.

In terms of the signed order, these appeals are allowed.

All the applications, including applications for intervention  
and impleadment, shall also stand disposed of.

(MAHABIR SINGH)  
COURT MASTER

(PARVEEN KUMARI PASRICHA)  
COURT MASTER

(Signed order is placed on the file)