

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

Con.Case(C).No. 1307 of 2015 (S) IN WP(C).9276/2013

AGAINST THE ORDER/JUDGMENT IN WP(C) 9276/2013 of HIGH COURT OF KERALA
DATED 21.5.2014
PETITIONER(S)/PETITIONERS 1 & 2:

1. SASIKALA V.
RETIRED SECTION OFFICER (HIGHER GRADE)
UNIVERSITY OF KERALA, THIRUVANANTHAPURAM - 695 034
RESIDING AT JINU BHAVAN, ARAPPURA JUNCTION
VINAYAKA NAGAR, VATTIYOORKAVAU P.O
THIRUVANANTHAPURAM - 695 013.

2. BEENA ROY R
RETIRED SECTION OFFICER (HIGHER GRADE)
UNIVERSITY OF KERALA, THIRUVANANTHAPURAM - 695 034
RESIDING AT VIJIN NIVAS, KANIYIL, KAZHAKOOTTAM P.O.
THIRUVANANTHAPURAM - 695 582.

BY ADVS.SRI.T.B.HOOD
SMT.M.ISHA

RESPONDENT(S)/RESPONDENTS 3 & 4:

1. DR.K.MOHAMMED BASHEER
AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER
REGISTRAR, UNIVERSITY OF KERALA, PALAYAM
THIRUVANANTHAPURAM - 695 034.

2. DR.P.K.RADHAKRISHNAN
AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER
VICE CHACELLOR, UNIVERSITY OF KERALA, PALAYAM
THIRUVANANTHAPURAM - 695 034.

R BY SRI.PAUL JACOB (P)

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 15-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

P.N. Ravindran, J.

C.O.(C) No.1307 of 2015

Dated this the 15th October, 2015

JUDGMENT

This contempt case is filed alleging that the respondents herein have willfully disobeyed Annexure-1 judgment delivered by me on 21.5.2013 in W.P.(C)No.9276 of 2013. By that judgment, I directed the University of Kerala represented by its Registrar and its Vice Chancellor who were respondents 3 and 4 respectively in the writ petition, to fill up vacancies in the post of Pool Officer in accordance with the provisions contained in the Kerala University First Ordinances, 1978 and to consider the claim of the writ petitioners for promotion to the said post. I had further directed that notwithstanding the fact that writ petitioners 1 and 2 have already retired from service, their claims shall also be considered. The substance of the averments in the instant contempt case is that pursuant to the said judgment, steps were taken to fill up the post of Pool Officer, but the claims of writ petitioners 1 and 2 who are the petitioners in the instant contempt case, were not considered. The petitioners have also averred that their juniors

who were writ petitioners 3 and 4 in the writ petition were promoted to the post of Pool Officer.

2. When this contempt case came up for admission hearing before me on 22.9.2015, learned standing counsel appearing for the Kerala University took time to get instructions as to whether the case of the petitioners herein was also considered before Annexure-1 judgment was implemented, by issuing Annexure-2 order dated 7.10.2014. The case was accordingly adjourned to today. Today when the contempt case was called on for further hearing, Shri Paul Jacob, learned standing counsel for the Kerala University very fairly submitted that due to an inadvertent omission, the case of the petitioners herein (writ petitioners 1 and 2) was not considered and that the claims of writ petitioners 3 and 4 alone were considered. Learned Standing Counsel also submitted that the competent authority in the University of Kerala will consider the claim of the petitioners for promotion to the post of Pool Officer, within one month from today. The aforesaid submission should, in my opinion, be accepted. Apart from ensuring compliance with the judgment, it also recognises the rights of the petitioners under

Annexure-1 judgment, viz. to be considered for promotion to the post of Pool Officer.

I accordingly close the contempt case recording the aforesaid submission made and given on behalf of the respondents, by their Standing Counsel Shri Paul Jacob. In the event of failure on the part of the University of Kerala to honour the undertaking recorded above, it will be open to the petitioners to file an appropriate application to have this contempt case reopened and proceeded with.

(P.N. Ravindran, Judge.)

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