

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE ANTONY DOMINIC
&
THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

MONDAY, THE 3RD DAY OF AUGUST 2015/12TH SRAVANA, 1937

WA.No. 1260 of 2015 () IN WP(C).30134/2013

AGAINST THE JUDGMENT IN WP(C) 30134/2013 of HIGH COURT OF
KERALA DATED 22.05.2014

APPELLANTS/RESPONDENTS 1 TO 4:

1. STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT, GOVERNMENT
SECRETARIAT
THIRUVANANTHAPURAM-695001.
2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
DIRECTORATE OF PUBLIC INSTRUCTIONS, JAGATHI
THIRUVANANTHAPURAM-695014.
3. THE DEPUTY DIRECTOR OF EDUCATION,
ERNAKULAM-682030.
4. THE DISTRICT EDUCATIONAL OFFICER,
MUVATTUPUZHA-686 673.

BY SENIOR GOVERNMENT PLEADER SRI.M.A. FAYAZ

RESPONDENTS/PETITIONER & 5TH RESPONDENT IN WP(C):

1. GEO JOSEPH
HIGH SCHOOL ASSISTANT(SOCIAL STUDIES)
ST.SEBASTIAN'S HIGH SCHOOL, MEMANDANGU.P.O
MUVATTUPUZHA, ERNAKULAM DISTRICT-686672.
2. THE CORPORATE MANAGER,
CORPORATE EDUCATIONAL AGENCY
DIOCESE OF KOTHAMANGALAM, ERNAKULAM DISTRICT-686691.

R2 BY ADV. SRI.V.M.KURIAN
R1 BY ADVS. SRI.K.JAJU BABU (SR.)
SMT.M.U.VIJAYALAKSHMI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 03-08-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**ANTONY DOMINIC
&
SHAJI P. CHALY, JJ.**

**CMA No. 675 of 2015
&
W.A. No.1260 of 2015**

Dated this the 3rd day of August, 2015

JUDGMENT

Antony Dominic,J.

CMA No.675 of 2015 is an application filed to condone the delay of 357 days in filing the appeal.

2. We heard the learned Government Pleader, the learned counsel for the first respondent and the learned counsel appearing for the second respondent.

3. In paragraph 5 of the affidavit filed by the first respondent objecting the prayer for condonation of delay, it is stated that alleging non-compliance of the judgment under appeal, she had filed a Contempt of Court Case No.1144/2014. It is stated that in that case the DEO, fourth petitioner herein, has filed an affidavit stating that in compliance with the judgment under appeal, the Government accorded sanction to approve the appointment and that accordingly Order No.B1/5746/14/K.Dis dated 24.01.2015 has been issued approving his appointment as

H.S.A. (Social Science) w.e.f. 02.06.2008. A copy of the order of the DEO also has been produced as Annexure-R1(a). This therefore, means that the Government have issued orders and consequential order was also issued by the DEO, complying with the direction in the judgment.

In such circumstances, we see no reason why a belated challenge should now be raised or entertained against the judgment in the writ petition. The CM Application is dismissed. Consequently the Writ Appeal is also dismissed.

Sd/-

**ANTONY DOMINIC
JUDGE**

Sd/-

**SHAJI P. CHALY
JUDGE**

//true copy//

P.A. To Judge

smv