

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).4212/2007

(From the judgement and order dated 27/06/2006 in WA No.1027/2005 of The HIGH COURT OF KERALA AT ERNAKULAM)

STATE OF KERALA & ORS.

Petitioner(s)

VERSUS

A. J. POULOSE

Respondent(s)

(With appln(s) for withdrawal of SLP and prayer for interim relief and office report)

WITH SLP(C) NO. 4213 of 2007

SLP(C) NO. 4215 of 2007

(With office report)

SLP(C) NO. 4216 of 2007

(With appln(s) for withdrawal of SLP and office report)

SLP(C) NO. 4217 of 2007

(With appln(s) for withdrawal of SLP and office report)

SLP(C) NO. 4218 of 2007

(With appln(s) for withdrawal of SLP and office report)

SLP(C) NO. 4219 of 2007

(With appln(s) for withdrawal of SLP and office report)

SLP(C) NO. 4220 of 2007

(With office report)

SLP(C) NO. 4221 of 2007

(With appln(s) for withdrawal of SLP and office report)

SLP(C) NO. 4222 of 2007

(With office report)

SLP(C) NO. 4223 of 2007

(With appln(s) for withdrawal of SLP and office report)

SLP(C) NO. 4224 of 2007

(With appln(s) for withdrawal of SLP and office report)

SLP(C) NO. 4225 of 2007

(With appln(s) for withdrawal of SLP and office report)

SLP(C) NO. 4226 of 2007

(With appln(s) for withdrawal of SLP and office report)

SLP(C) NO. 4227 of 2007

(With appln(s) for withdrawal of SLP and office report)

SLP(C) NO. 4228 of 2007

(With appln(s) for withdrawal of SLP and office report)

SLP(C) NO. 4229 of 2007

(With appln(s) for withdrawal of SLP and office report)

SLP(C) NO. 4231 of 2007

(With appln(s) for withdrawal of SLP and office report)

SLP(C) NO. 4233 of 2007

(With office report)

SLP(C) NO. 3247 of 2007

(With prayer for interim relief and office report)

SLP(C) NO. 6201 of 2007

(With office report)

SLP(C) NO. 19582 of 2007

(With appln(s) for c/delay in filing SLP and c/delay in refiling SLP and office report)

SLP(C) NO. 20286 of 2007

(With prayer for interim relief and office report)

SLP(C) NO. 21597-21598 of 2007

(With office report)

SLP(C) NO. 997 of 2008

(With appln(s) for c/delay in filing SLP & office report)

SLP(C) NO. 4292 of 2008  
(With prayer for interim relief and office report)  
SLP(C) NO. 6723 of 2008  
(With appln(s) for c/delay in filing SLP & office report)  
SLP(C) NO. 14043 of 2008  
(With office report)  
SLP(C) NO. 17537 of 2008  
SLP(C) NO. 21335-21336 of 2008  
(With office report)  
SLP(C) NO. 19683 of 2008  
(With prayer for interim relief and office report)  
SLP(C) NO. 16199 of 2007  
(With appln(s) for c/delay in filing SLP, c/delay in refiling SLP  
with prayer for interim relief and office report)  
SLP(C) NO. 30705 of 2008  
(With prayer for interim relief and office report)  
SLP(C) NO. 1298 of 2009  
(With appln(s) for c/delay in filing SLP & office report)  
SLP(C) NO. 24626 of 2008  
(With appln(s) for c/delay in filing SLP & office report)  
SLP(C) NO. 24630 of 2008  
(With appln(s) for c/delay in filing SLP & office report)  
SLP(C) NO. 24632 of 2008  
(With appln(s) for c/delay in filing SLP & office report)  
SLP(C) NO. 24633 of 2008  
(With appln(s) for c/delay in filing SLP & office report)  
SLP(C) NO. 24635 of 2008  
(With appln(s) for c/delay in filing SLP & office report)  
SLP(C) NO. 6724 of 2008  
(With office report)  
SLP(C) NO. 5866 of 2008  
(With prayer for interim relief and office report)

Date: 28/08/2012 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN  
HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s) Ms. Liz Mathew,Adv.  
Ms. Sana Hashmi,Adv.

Mr. G. Prakash,Adv.

Ms. Bina Madhavan,Adv.

Mr. Jogy Scaria,Adv.

For Respondent(s) Dr. K.P. Kailasanatha Pillay,Sr.Adv.  
Mr. Vijay Kumar,Adv.

Mr. V.K. Biju,Adv.  
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Mr. Roy Abraham,Adv.  
Ms. Reena Roy,Adv.  
Ms. Seema Jain,Adv.  
Mr. Vimlesh Kumar,Adv.

Ms. Tessy Varghese,Adv.  
Mr. N.M. Varghese,Adv.  
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Ms. Bindu K. Nair,Adv.  
Mr. P. George Giri,Adv.

Mr. Ramesh Babu M.R.  
Mr. M.T. George,Adv.  
Mr. Himinder Lal,Adv.  
Mr. V.K. Verma,Adv.  
Mr. E.M.S. Anam,Adv.  
Mr. A.Venayagam Balan,Adv.  
Mr. Abhith Kumar,Adv.  
Mr. K.V.Mohan,Adv.  
Mr. Chander Shekhar Ashri,Adv.

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

SLP(C) NOS.4212, 4216, 4217, 4218, 4219, 4221, 4223, 4224, 4225,  
4226, 4227, 4228, 4229 & 4231 OF 2007

Learned counsel for the petitioner-State states that they are not pursuing the special leave petitions, and applications for withdrawal of SLPs have been filed.

In such circumstances, the applications are allowed and the special leave petitions are dismissed as withdrawn.

SLP(C) NOS.4213, 4215, 4220, 4222, 4233, 3247, 6201, 19582, 20286, 21597-21598 & 16199 OF 2007, SLP(C) NOS. 997, 4292, 6723, 14043, 17537, 21335-21336, 19683, 30705, 24626, 24630, 24632, 24633, 24635, 6724 & 5866 OF 2008  
AND SLP(C) NO.1298 OF 2009

Heard counsel on either side.

The only question raised in these cases is whether the respondents are legally obliged to pay interest for the delayed payment. Learned counsel appearing for the petitioners submitted that the claim for interest is statutory. Reference was made to Rule 6(29) of the Kerala Abkari Shops (Disposal in Auction) Rules, 1974.

We find considerable force in the argument of the counsel for the petitioners. All the same, learned counsel appearing for the respondents submitted that their cases may also be considered under the Amnesty Scheme.

We feel it appropriate to extend the benefit of Amnesty Scheme to the respondents provided they make an application within two months from today.

We make it clear that if the respondents fail to make any application within the abovesaid period then they will not be entitled to get the benefit of the scheme.

The special leave petitions are, accordingly, disposed of.

| (NARENDRA PRASAD)  
| COURT MASTER

| | (RENUKA SADANA)  
| | COURT MASTER

