

ITEM NO.44

COURT NO.4

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(s) for Special Leave to Appeal (C) No.7283/2022

(Arising out of impugned final judgment and order dated 08-04-2022 in WA No.485/2022 passed by the High Court of Kerala at Ernakulam)

MAHA P. & ORS.

Petitioner(s)

VERSUS

THE STATE OF KERALA & ORS.

Respondent(s)

WITH S.L.P.(C) No.7042/2022 (XI-A)

(With IA No.57787/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.60604/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 29-04-2022 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s)

Mr. Huzefa Ahmadi, Sr. Adv.
Mr. Haris Beeran, Adv.
Mr. Mushtaq Salim, Adv.
Mr. Usman Ghani Khan, Adv.
Ms. Sharukh Alam, Adv.
Mr. Azhar Assess, Adv.
Mr. Rohan Sharma, Adv.
Mr. Radha Shyam Jena, AOR

Mr. Dushyant A Dave, Sr. Adv.
Ms. Pallavi Pratap, AOR

SLP 7042/2022

For Respondent(s) **Mr. Jaideep Gupta, Sr. Adv.**
 Mr. Nishe Rajen Shonker, AOR
 Mrs. Anu K. Joy, Adv.
 Mr. Alim Anvar, Adv.
 Mr. Abraham C. Mathews, Adv.

 Mr. Sayid Marzook Bafaki, AOR

 Mr. C.K. Sasi, Adv.
 Ms. Meena K.P., Adv.

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

- 1 Thirty-eight petitioners who claimed admission as NRI students are before the Court in these proceedings. Of these thirty-eight petitioners, it is common ground that seven candidates were in the NRI category list which was originally published by the CCE on 31 January 2022. As for the rest, the submission of the State is that (i) twelve candidates lacked proper documentation; and (ii) nineteen candidates had not claimed NRI status.
- 2 As regards the seven candidates, who were in the original list of NRI candidates, Mr Jaideep Gupta, senior counsel appearing for the respondents stated that though four of them had registered their options for NRI seats in self-financing colleges, they did not furnish their options for the mop up round after the issuance of the notification dated 26 March 2022.
- 3 In order to controvert this submission, Mr Huzefa Ahmadi, senior counsel appearing on behalf of the petitioners has drawn the attention of the Court to the fact that the option in regard to petitioner No 2 was uploaded on 28 March 2022. Senior counsel states that similar options are available in respect of each of the other candidates forming a part of the seven candidates referred to above and perhaps in respect of others. Mr Ahmadi states that he will furnish the necessary material in support to Mr Jaideep

Gupta so that it can be verified.

- 4 In order to ensure that a proper verification is carried out, we request Mr Jaideep Gupta, senior counsel to ensure that a fresh exercise of verification is carried out in regard to the status of these candidates who claimed as NRI candidates and to place the result of verification on the record in the form of an affidavit. The affidavit shall be exchanged on or before the next date of listing.
- 5 List the Petitions on 4 May 2022.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Court Master