

**SUPREME COURT OF INDIA**

Kerala State Consumer Fedn

Vs.

Anandan P.K.

C.A.No.2943 of 2010

(Dalveer Bhandari and K.S. Radhakrishnan JJ.)

31.03.2010

**ORDER**

Delay condoned.

Leave granted.

We have heard the learned senior counsel appearing on behalf of the parties.

Mr. Patwalia, learned senior counsel appearing on behalf of Kerala State Consumer Federation and Mr. Nageswara Rao, learned senior counsel appearing on behalf of the 363 employees working in the said Federation submit that their cases could not be considered by the Division Bench of the Kerala High Court in O.P. No.21971/2002 and Writ Petition (C) No.25183/2005 as in Writ Petition (C) No.25183/2005 filed by the unemployed persons, the 363 employees were not parties and if the impugned judgment dated 31.8.2006 passed by the Kerala High Court is implemented, they are

likely to lose their employment. They have been in employment since 1997-1998.

We have gone through the impugned judgment. We find considerable merit in the submissions of the learned senior counsel appearing on behalf of the Federation and the 363 employees working in the Federation. In this view of the matter, in the interest of justice, we deem it appropriate to set aside the impugned judgment and remit the matter to the High Court of Kerala at Ernakulam. The High Court is requested to decide the case after hearing the parties in accordance with law.

The 363 employees who are going to be affected by the decision of the High Court, would be at liberty to get themselves impleaded as parties in the writ petition.

In the facts and circumstances of this case, we request the High Court to decide the case as expeditiously as possible, in any event, within six months from the date of communication of this order.

These appeals are disposed of with the aforementioned observation and direction.