

ITEM NO.19 Court 8 (Video Conferencing) SECTION XI-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 14540/2020

(Arising out of impugned final judgment and order dated 09-03-2020 in OPKAT No. 286/2015 passed by the High Court Of Kerala At Ernakulam)

THE STATE OF KERALA & ORS. Petitioner(s)

VERSUS

LEESAMMA JOSEPH Respondent(s)

(FOR ADMISSION and I.R.)

Date : 07-01-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE DINESH MAHESHWARI  
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Ms. Priyanka Prakash, Adv.  
Ms. Beena Prakash, Adv.  
Mr. G. Prakash, AOR

For Respondent(s)

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

Learned counsel for the petitioner contends that the respondent was given employment on compassionate ground and the entry point was not of a person with disability under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. Thus, it is thus submitted that such a person cannot claim reservation in matter of promotion under the Act as it will also affect the other general candidates. The aforesaid issue would require examination but since the respondent has retired and it is now only the issue of some financial benefits, we are not inclined to interfere with the relief which

would be available to the respondent and that there is no need to issue notice to the respondent.

Leave granted.

We appoint Mr. Gaurav Agrawal, learned Advocate, as *Amicus Curiae* to assist us in the matter and a complete set of papers be made available to the learned *Amicus*.

List for directions in a non-miscellaneous day after four weeks.

(R. NATARAJAN)  
ASTT. REGISTRAR-cum-PS

(ANITA RANI AHUJA)  
ASSISTANT REGISTRAR