



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

THURSDAY, THE 9TH DAY OF NOVEMBER 2023 / 18TH KARTHIKA, 1945

WP(C) NO. 37716 OF 2022

PETITIONER:

BOBBY P KURIAKOSE, AGED 48 YEARS
PUTHEECKAL HOUSE, KOTHAMANGALAM,
ERNAKULAM DISTRICT, PIN - 686691

BY ADVS.
ASOK CHACKO THOMAS
RAJESH VIJAYENDRAN

RESPONDENTS:

- 1 STATE OF KERALA, REPRESENTED BY SECRETARY TO GOVERNMENT, LAW DEPARTMENT, SECRETARIAT ANNEXE, THIRUVANANTHAPURAM, PIN - 695001
- 2 THE MEMBER SECRETARY, KERALA STATE LEGAL SERVICES AUTHORITY, KALOOR, KOCHI, ERNAKULAM,, PIN - 682017
- 3 THE CHAIRMAN, PERMANENT LOK ADALAT, ERNAKULAM GROUND FLOOR, ADR CENTRE, DISTRICT COURT ANNEX PREMISES KALOOR, KOCHI, PIN - 682017

SRI. RAJEEV JYOTHISH GEORGE, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09.11.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



JUDGMENT

The petitioner brings to the notice of this Court the understaffed condition of the Permanent Lok Adalath, Ernakulam.

2. Noticing the assertion of the petitioner, a Report was called for by this Court from the Chairman of the Lok Adalath. His Report dated 14.12.2022 certainly projects the said situation at the said Authority.

3. Today, the learned Government Pleader – Sri.Rajeev Jyothish George, submitted that a Statement has been filed by the 1st respondent on 09.02.2023, wherein, it has been averred that, as per the Government Order dated 18.10.2010, five posts are sanctioned to the Authority; namely, Head Clerk, Bench Assistant, Clerical Assistant (Daily Wages), Confidential Assistant and Office Attendant; and that the appointments to there are to be made by means of deputation from the State Subordinate Judicial Service, or from the High Court Service. He added that such appointments can be made by the Kerala State Legal Services Authority (KELSA); and that the Government will, thereupon, effect payment of necessary salary to



such persons.

4. The learned Standing Counsel for the KELSA submitted that if the Government is willing to allow her client to make appointments, they will do so without any avoidable delay.

In the afore circumstances and with the consent of both sides, I allow this Writ Petition, directing the competent Authority of the KELSA to appoint persons against the said posts at the earliest, but not later than two months from the date of receipt of a copy of this judgment.

Needless to say, once such appointments are made and the Government will ensure funds for payment of salary to such persons, without any avoidable delay.

RR

Sd/ -
DEVAN RAMACHANDRAN
JUDGE



WPC 37716/22

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APPENDIX OF WP(C) 37716/2022

PETITIONER EXHIBITS

Exhibit1

COPY OF THE OP 7332/2021 FILED BEFORE THE
PERMANENT LOK ADALATH