ITEM NO.25 COURT NO.5 SECTION XI-B

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(s). 7387/2026

[Arising out of impugned final judgment and order dated 19-12-2025 in WA No. 482/2025 passed by the High Court of Kerala at Ernakulam]

V VIJAYAKUMAR Petitioner(s)

VERSUS

ARUVIPURAM SNDP YOGAM & ORS. Respondent(s)

FOR ADMISSION
IA No. 56638/2026 - EXEMPTION FROM FILING O.T.

WITH
SLP(C) No. 7278/2026 (XI-B)
FOR ADMISSION
IA No. 55448/2026 - EXEMPTION FROM FILING O.T.
SLP(C) No. 7734-7735/2026 (XI-B)

IA No. 60816/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 60814/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 19-11-2026 These matters were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) :Mr. K. Gireesh Kumar, Adv.
Mr. Tom Joseph- 2953, AOR
Mr. Shine P. Sasidhar, Adv.
Mr. Shibu Devasia Olikkal, Adv.
Mr. Vr Raman, Adv.
Mr. Devraj, Adv.
Ms. Najma Naushad, Adv.
Mr. Anurag Srivastava, Adv.

Mr. P. B. Krishnan, Sr. Adv.
Mr. A. Karthik, AOR
Mr. Arsh Khan, Adv.
Ms. Smrithi Suresh, Adv.
Mr. Sugam Agrawal, Adv.

Signature Not Verified
Digitally signed by HARPREET KAUR
Date: 2026.11.21 15:10:53 IST
Reason:

Mr. Togin M. Babichen, Adv.
Ms. Anila Thomas, Adv.

For Respondent(s) :Mr. Navin Pahwa, Sr. Adv.
Mr. Roy Abraham, Adv.
Ms. Seema Jain, Adv.
Mr. Adithya Koshy Roy, Adv.
Ms. Anne Mathew, AOR

Mr. K. Prameshwaran, Sr. Adv.
Mr. Roy Abraham, Adv.
Ms. Reena Roy, Adv.
Mr. Akhil Abraham Roy, Adv.
Mr. Adithya Koshy Roy, Adv.
Ms. Rajni Ohri Lal, Adv.
Mr. Yaduinder Lal, Adv.
Mr. Himinder Lal- 1145, AOR

Ms. Aishwarya Bhati, A.S.G.
Ms. Madhulika Upadhyay, AOR
Mr. Arun Kumar Singh, Adv.
Mr. A Deb Kumar, Adv.
Ms. Shreya Jain, Adv.
Ms. Radhika Mishra, Adv.

Mr. Jaideep Gupta, Sr. Adv.
Mr. Zulfiker Ali, AOR
Anna Oommen, Adv.
Ms. Ridhi Gupta, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. By our order dated 14.10.2026, we had permitted the Authority concerned to proceed to pass appropriate Order in accordance with law and place it before us by the next date of hearing.

2. Today, when the matter was taken up for further hearing, Ms. Aishwarya Bhati, the learned ASG appearing for the Union has placed on record the Order passed by the Additional Secretary, Ministry of Corporate Affairs. The same be taken on record.

3. The final conclusion drawn by the Union as regards the issue in question reads thus:-

> ***"VII. <u>Conclusion</u>***
>
> ***62. In view of the above, it is decided as under that:***
>
> ***a. Yogam is a company governed by the Central Act i.e. Companies Act, 2013 and not the state law i.e. The Kerala Non-Trading Companies Act, 1961.***
>
> ***b. In view of the provisions contained in section 465 of the Companies Act, 2013, the exemption granted to Yogam in 1974 continues to be valid. However, for any further amendments to its MoA or AoA, Yogam has to comply with the requisite conditions as specified under section 8(4)(i) of the Companies Act, 2013 requiring the company to seek prior approval of Central Government (power delegated to Registrar of Companies) in addition to any other requirements, including filing of specific forms, etc."***

4. We could have taken up the matter for further hearing today itself, however, Mr. Jaideep Gupta, the learned senior counsel has instructions to appear on behalf of the State of Kerala and the Inspector General of Registrations.

5. Let the matters come up for final disposal on 10.12.2026.

(HARPREET KAUR) **(POOJA SHARMA)**
COURT MASTER (SH) **COURT MASTER (NSH)**

(A copy of the Compliance Affidavit on behalf of respondent no.4 is annexed along with this RoP.)