

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

Civil Appeal No.10232/2016

N. M. SHANOJ

APPELLANT

VERSUS

STATE OF KERALA . & ORS.

RESPONDENTS

ORDER

1. Leave was granted by this Court on the appellant's special leave petition¹ on 07th October, 2016 referring to a special leave petition² titled ***Babu P.V. Vs. State of Kerala and Ors.***, in respect whereof leave was granted on 18th April, 2016. The civil appeal³ of Babu P.V. (supra) has been dismissed by us by an order dated 22nd July, 2026.

2. We have heard Ms. Bindu A., learned counsel for the appellant as well as Mr. Vipin Nair, learned counsel for the respondent - Kerala Public Service Commission⁴.

3. Within the validity period of the rank list, 10 candidates in order of merit were recommended for appointment from the category of persons with disabilities. Rank of the appellant was no. 17 (seventeen).

4. Since no vacancy was available for recommending him within the validity period of the rank list, he was not favoured with any such recommendation.

1 Special Leave Petition (Civil) No.31011/2016

2 Special Leave Petition (Civil) No.8357/2016

3 Civil Appeal No.4096/2016

4 Commission

5. Be that as it may, for filling up posts where vacancies occurred subsequently, a special recruitment drive was initiated by the Commission. Despite the appellant being eligible to apply, he did not offer his candidature and, therefore, missed the opportunity of being considered even in course of such special recruitment drive.

6. Our sympathies are with the appellant, who happens to be a physically challenged candidate, but we are disabled from granting him any relief having regard to the fact that there were others ahead of the appellant in the rank list, who have not been recommended for appointment.

7. The civil appeal is, accordingly, dismissed.

8. Pending application(s), if any, stand disposed of.

.....J.
(DIPANKAR DATTA)

.....J.
(SHEEL NAGU)

**New Delhi;
July 29, 2026.**

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No.10232/2016

N. M. SHANOJ

Appellant

VERSUS

STATE OF KERALA. & ORS.

Respondents

I.A. No.105194/2022-EARLY HEARING APPLICATION

Date : 29-07-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SHEEL NAGU

For Appellant(s) : Mr. Tom Joseph, AOR
Ms. Bindu A., Adv.
Mr. Subhash Theekadan, Adv.
Mr. N.M. Shanoj, Adv.

For Respondent(s) : Mr. Vipin Nair, AOR
Mr. Aditya Narendranath, Adv.
Mrs. M. B. Ramya, Adv.
Mrs. Deeksha Gupta, Adv.
Mr. P B Sashaankh, Adv.
Mr. Haresh Nair, Adv.
Mrs. Puspita Basak, Adv.
Mrs. Madhavi Yadav, Adv.
Mr. Ashok Kumar, Adv.

Mr. C. K. Sasi, AOR
Mr. James P. Thomas, Adv.
Mr. Ravi Sagar, Adv.
Ms. Glorina George, Adv.

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

1. The civil appeal is dismissed in terms of the signed order.
2. Pending application(s), if any, stand disposed of.

(MANIK KUMAR)
SENIOR PERSONAL ASSISTANT

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)

(signed order is placed on the file)