

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN**

**THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937**

**RP.No. 330 of 2008 (D) IN OP 25641/2002**

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AGAINST THE ORDER/JUDGMENT IN OP 25651/2002 of HIGH COURT OF KERALA  
DATED 29-06-2007**

**REVIEW PETITIONER(S)/APPLICANTS:**

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- 1. STATION MASTER,WATER TRANSPORT STATION,  
KOLLAM.**
  - 2. THE DIRECTOR, DEPARTMENT OF WATER TRANSPORT,  
ALAPPUZHA.**
  - 3. STATE OF KERALA, REP. BY THE SECRETARY  
TO THE GOVERNMENT , WATER TRANSPORT DEPARTMENT,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

**BY SRI.SOJAN JAMES, GOVERNMENT PLEADER**

**RESPONDENT(S):**

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M.P.SAHADDEVAN, S/O.KOCHU PAPPU,  
MOOKKATHU CHIRAYIL, ALUMPEEDIKA P.O.  
OCHIRA (VIZ) KOLLAM.**

**R BY SRI.M.V.THAMBAN**

**THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 26-11-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**DG**

**APPENDIX**

**PETITIONER'S EXHIBITS:     NIL**

**RESPONDENT'S EXHIBITS:**

**EXT.R1(a):     A TRUE COPY OF THE ORDER DATED 6.8.2004.**

**//TRUE COPY//**

**PA TO JUDGE**

**THOTTATHIL B.RADHAKRISHNAN, J.**

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C.M.Appl.No.148 of 2008 & R.P.No.330 of 2008  
in  
O.P.No.25651 of 2002

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Dated this the 26<sup>th</sup> day of November, 2015

**ORDER**

1. Heard the learned Government Pleader.
2. The Government, which was the respondent in a writ petition filed by an employee of the establishment seeks review of judgment.
3. Going through the judgment sought to be reviewed, it can be noted that Exhibit P8 was ordered by the competent authority interfering with the disciplinary proceedings and the dismissal of the employee was set aside. This Court did not find any ground to interfere with that. However, it was not specifically stated in Exhibit P8 that he stands reinstated. Through an interlocutory order, pending the original petition, this Court had clarified that the effect of setting aside the dismissal is reinstatement. When the original petition came up for final

hearing, it was noted that the employee had crossed the age of superannuation by that time. Hence, the original petition was ordered, directing that the retirement benefits be quantified and the matter closed accordingly. I do not see any ground, either way of error apparent on the face of the record or otherwise, to review the said judgment. Review petition fails.

In the result, the review petition and the C.M.Application are dismissed.

Sd/-  
**(THOTTATHIL B.RADHAKRISHNAN, JUDGE)**

//TRUE COPY//

P.A TO JUDGE

DG