

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE SUNIL THOMAS

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

WA.No. 1039 of 2015 () IN WP(C).20418/2014

AGAINST THE ORDER/JUDGMENT IN WP(C) 20418/2014 of HIGH COURT
OF KERALA DATED 28.01.2015

APPELLANT(S) :/RESPONDENT NOS.1 & 2

1. KERALA STATE ROAD TRANSPORT CORPORATION,
(KSRTC) TRANSPORT HOUSE,
FORT, THIRUVANANTHAPURAM - 695 023, REPRESENTED
BY ITS MANAGING DIRECTOR.
2. MANAGING DIRECTOR,
KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT HOUSE,
THIRUVANANTHAPURAM - 695 023.

BY ADV. SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

RESPONDENT(S) :/PETITIONERS & RESPONDENT NOS.3 & 4

1. AJITHAKUMARI N.,
D/O.KOCHU NARAYANAN, AGED 42 YEARS,
VENGAVILA VEEDU, PARITHIYARA, ODANAVATTOM P.O.,
KOTTARAKKARA.
2. PADMAJA B, D/O.BHASKARAN N,
AGED 39 YEARS, THANDASSERIL THEKKATHIL,
VARAVILA P.O., VARAVILA,
KOLLAM DISTRICT - 690 528.
3. ABHILASH P., S/O.U.PADMOLBHAVAN,
AGED 42 YEARS, USHUS,
SANKARAMANGALAM, CHAVARA P.O., KOLLAM.
4. JAFARKHAN A, S/O.ABDULSALAM M,
AGED 26 YEARS, JAFAR MANZIL, KARIKODE,
TKMC P.O., KOLLAM - 5.

5. PRINCE P.KRISHNAN, S/O.PAVITHRAN K.,
AGED 25 YEARS, MADATHIL VEEDU,
KALLUMTHAZHAM P.O., KILIKOLLOOR,
KOLLAM - 691 004.
6. VIPINRAJ N., S/O.NADARAJAN N.,
AGED 29 YEARS, VIPIN NIVAS,
KALLUTHAZHAM P.O.,
KILIKOLLOOR, KOLLAM - 691 004.
7. SREENATH S., S/O.SOMANATHAN,
AGED 26 YEARS, SREENILAYAM,
PULLICHIRA P.O., KOLLAM - 691 304.
8. KERALA PUBLIC SERVICE COMMISSION,
THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY.
9. THE STATE OF KERALA,
REPRESENTED BY DEPARTMENT OF TRANSPORT,
SECRETARIAT, THIRUVANANTHAPURAM.

R1 TO R7 BY ADV. SRI.B.ASHOK SHENOY
R1 TO R7 BY ADV. SRI.K.V.GEORGE
R1 TO R7 BY ADV. SMT.LAKSHMI B.SHENOY
R BY SRI.GEORGE SEBASTIAN
R9 BY ADV.A.RENJITH, GOVERNMENT PLEADER
R8 BY SRI.P.C.SASIDHARAN, SC, KPSC

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 05-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN &
SUNIL THOMAS, JJ.

.....
W.A.No.1039 of 2015

and

C.M.Appl.No.536 of 2015
.....

Dated this the 5th day of June, 2015.

J U D G M E N T

Thottathil B.Radhakrishnan, J.

- 1.The captioned writ appeal comes up with an application seeking condonation of delay of 83 days. The affidavit filed in support of the application seeking condonation of delay does not contain any specific reason to which such delay is attributed. Be that as it may, we see that the interlocutory order sought to be challenged was issued by learned single Judge at a point of time, when no counter affidavit was filed. Obviously, even if the Kerala State Road Transport Corporation has shown obedience to the interlocutory order and has made appointments or promotions as directed, all that would, obviously, be subject to the final decision on the writ petition, in which the KSRTC ought to have filed its counter affidavit, at least by this time. We do not see any cause having been shown to entertain this writ appeal by condoning the

delay. We also do not see any reason to interfere through this intra-court appeal, with the manner in which the learned single Judge has exercised the discretionary jurisdiction while moulding the interim relief. The writ appeal also, therefore, fails.

In the result, the C.M.Application and the writ appeal are dismissed in limine.

(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

(SUNIL THOMAS, JUDGE)