

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

FRIDAY, THE 6TH DAY OF MARCH 2015/15TH PHALGUNA, 1936

WP(C).No. 7228 of 2015 (C)

PETITIONER:

K.M.APPU, AGED 58 YEARS, S/O. KUNJUKUNJU,
PEELIPARAMBIL HOUSE, PARIYARAM.P.O.,
KADAMURI, KOTTAYAM - 686 021, (INSPECTOR RETD.
ON 30.05.2012 FROM KUMILI DEPOT).

BY ADV. SRI.K.P.JUSTINE (KARIPAT)

RESPONDENTS:

1. THE MANAGING DIRECTOR, K.S.R.T.C,
TRANSPORT BHAVAN, EAST FORT,
THIRUVANANTHAPURAM - 695 023.
2. THE EXECUTIVE DIRECTOR (ADMINISTRATION),
KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN, EAST FORT,
THIRUVANANTHAPURAM - 695 023.
3. THE ASSISTANT TRANSPORT OFFICER,
KS.R.T.C, KUMILY, IDUKKI DISTRICT 686 011.

BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 : TRUE COPY OF THE DUTY PASS ISSUED TO THE PETITIONER.
- EXT.P2 : TRUE COPY OF CIRCULAR MEMORANDUM NO.PL7/000175/2010 DATED 6.7.2010 ISSUED BY THE K.S.R.T.C.
- EXT.P3 : TRUE COPY OF THE PAGE NOS. 2 AND 3 OF THE PENSION BOOK OF THE PETITIONER.
- EXT.P4 : TRUE COPY OF THE JUDGMENT DATED 01-7-2013 IN W.P.(C). NO.3849/2013 PASSED BY THIS HON'BLE COURT.
- EXT.P5 : TRUE COPY OF THE MEMORANDUM NO.PL-000175/10 DATED 27.12.2014.
- EXT.P6 : TRUE COPY OF THE ORDER NO.VLD1-01051/2014 DATED 18.4.2015 PASSED BY THE EXECUTIVE DIRECTOR (VIGILANCE), K.S.R.T.C., THIRUVANANTHAPURAM.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 7228 OF 2015

Dated this the 6th day of March, 2015

JUDGMENT

The petitioner asserts that the period spent on Leave Without Allowance is liable to be reckoned as qualifying service for pension. The petitioner relies on Ext.P4 judgment in WP(C) No. 3849/2013 on the basis of which Ext.P5 memorandum has been issued. It is however conceded that the petitioner will lose the said benefit for the period covered by Ext.P6 order.

2. I direct the respondents to recalculate the pensionary benefits of the petitioner in the light of the observations above. The same shall be done within a period of three months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd