

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

WP(C).No. 11550 of 2010 (P)

PETITIONER:

**P.SASIDHARA KURUP, S/O GOPALA KURUP,
(RETIRED MECHANIC, KSRTC)
RESIDING AT CHOORILETH HOUSE, PANNIVIZHA
ANANDAPPALLY P.O., ADOOR, PATHANAMTHITTA DIST.**

**BY ADVS.SRI.T.RAMPRASAD UNNI
SMT.SMITHA GEORGE**

RESPONDENT:

**THE MANAGING DIRECTOR,
KERALA STATE ROAD TRANSPORT CORPORATION,
TRIVANDRUM.**

**BY ADVS. SRI.V.V.NANDAGOPAL NAMBIAR, SC, KSRTC
SRI.BABU JOSEPH KURUVATHAZHA,SC,KSRTC
SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
02-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 11550 of 2010 (P)

APPENDIX

PETITIONER(S)' EXHIBITS

P1 : COPY OF THE ORDER NO. LR8-023330/97 DATED 27.1.2007 PASSED BY THE RESPONDENT DATED 27.1.2007 PASSED BY THE RESPONDENT REGARDING COUNTING OF EMPLOYMENT EXCHANGE SERVICES FOR PENSION PURPOSES

P2 : COPY OF ORDER DATED 27.1.2010 PASSED BY THE EXECUTIVE DIRECTOR (A) OF THE RESPONDENT

P3 : COPY OF LETTER DATED 4.2.2010 ISSUED BY THE PUBLIC INFORMATION OFFICER OF THE RESPONDENT

P4 : COPY OF LETTER DATED 4.3.2010 ISSUED BY THE PUBLIC INFORMATION OFFICER OF THE RESPONDENT

P5: A TRUE COPY OF THE MEMO DATED 2.12.1996 ISSUED BY THE KSRTC

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 11550 OF 2010

Dated this the 2nd day of June, 2015

JUDGMENT

The issue is covered by the common judgment dated 20.02.2015 by the Larger Bench of this Court in **K.L. Francis v. Kerala State Road Transport Corporation and Others**. Therefore the provisional services put in by the petitioner prior to his regular appointment on the advice of the Kerala Public Service Commission is liable to be reckoned for pension. It is declared that the said dictum covers the case of the petitioner also to whom the benefits of the Larger Bench decision of this Court shall be extended.

2. The respondent submits that a Special Leave Petition is being filed against the common judgment of the Larger Bench before the Supreme Court and that orders are awaited. I make it clear that the implementation of the judgment of the Larger Bench of

this Court as regards the petitioner would also be subject to the modification if any by the Supreme Court in the Special Leave Petition ofcourse to be filed. The respondent is directed to do the needful in the case of the petitioner 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**

DCS