

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

WP(C).No. 17927 of 2015 (M)

PETITIONER:

C.RAMJI, CONDUCTOR GRADE II,
KSRTC (RETIRED), RESIDING AT
PARASSERIL HOUSE, KODUPPUNNA P.O.,
ALAPPUZHA DISTRICT - 689 595.

BY ADVS.SRI.MURALI PURUSHOTHAMAN
SRI.DEEPU LAL MOHAN
SMT.S.LEENA
SRI.K.S.PRENJITH KUMAR

RESPONDENTS:

1. KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, THIRUVANANTHAPURAM 695 023.

2. STATE OF KERALA REPRESENTED BY
THE SECRETARY TO GOVERNMENT
DEPARTMENT OF TRANSPORT,
GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM 695 001.

BY GOVERNMENT PLEADER SRI. GIKKU JACOB
BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 THE TRUE COPY OF THE APPOINTMENT ORDER NO.PLA.4/058771/97 DATED 08.03.2001 ISSUED TO THE PETITIONER BY THE 1ST RESPONDENT.
- EXHIBIT P2 THE PHOTOCOPY OF THE OFFICE ORDER NO.PL.1.1171/2001/CGNR DATED 09.09.2002 ISSUED BY THE DISTRICT TRANSPORT OFFICER, CHENGANNUR REGARDING THE POSTING OF THE PETITIONER AS RESERVED CONDUCTOR.
- EXHIBIT P3 THE PHOTOCOPY OF THE OFFICE ORDER NO.PL.1.1171/2001/CGNR DATED 17.10.2002 ISSUED BY THE DISTRICT TRANSPORT OFFICER, CHENGANNUR.
- EXHIBIT P4 THE PHOTOCOPY OF THE MEMORANDUM PL.1.375/10/CGNR DATED 30.03.2010 ISSUED BY THE ASSISTANT TRANSPORT OFFICER, KSRTC.
- EXHIBIT P5 THE PHOTOCOPY OF THE LETTER NO.PL.1.1006/10/CGNR DATED 19.06.10 OF THE DISTRICT TRANSPORT OFFICER, CHENGANNUR TO THE PETITION.
- EXHIBIT P6 THE PHOTOCOPY OF THE LETTER NO.PA13/012823/10 DATED 22.06.2010 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.
- EXHIBIT P7 THE PHOTOCOPY OF THE LETTER NO.8337/A3/2010/TRANSPORT DATED 25.09.2010.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 17927 OF 2015

Dated this the 19th 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 Vs. 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 respondents submit 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 respondents are

WP(C) No. 17927/2015

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**

ncd