

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. 17928 of 2015 (M)

PETITIONER:

BALACHANDRAN L., CONDUCTOR GRADE 1,
KSRTC (RETIRED), RESIDING AT
'AMMUKUTTY NILAYAM', KARANCHIVILAKAM,
KAMALESWARAM, MANACAUD P.O.,
THIRUVANANTHAPURAM 695 009.

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

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 SENIOR GOVERNMENT PLEADER SRI. THOMAS JOHN AMBOOKEN
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 COPY OF THE APPOINTMENT ORDER NO.PLA.4/058771/97 DATED 8.3.01
ISSUED TO THE PETITIONER BY THE IST RESPONDENT.

EXHIBIT P2 COPY OF THE MEMORANDUM NO.P1-1258/10/CY DATED 30.3.10 ISSUED BY
THE DISTRICT TRANSPORT OFFICER, KSRTC, THIRUVANANTHAPURAM
CITY.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE

V. CHITAMBARESH, J

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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

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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