

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

WP(C).No. 18004 of 2015 (A)

PETITIONER(S):

K.BALACHANRAN, AGED 57 YEARS
S/O. SANKARAN NAMBEESAN, CHATHANPARAMBIL HOUSE
KAKKODI P.O.
KOZHIKODE DISTRICT - 673 611 (CONDUCTOR RETIRED
ON 31.8.14 FROM KOZHIKODE DEPOT)

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

RESPONDENT(S):

1. THE MANAGING DIRECTOR, KSRTC
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 DISTRICT TRANSPORT OFFICER
KSRTC, KOZHIKODE - 673 001.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
22-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

P1- TRUE COPY OF THE PENSION PASS ISSUED TO THE PETITIONER.

P2 - TRUE COPY OF THE DUTY DETAILS ISSUED BY THE 3RD RESPONDENT.

P3 - TRUE COPY OF THE PAGE NOS 1 AND 29 OF THE SERVICE BOOK OF THE
PETITIONER.

P4 - TRUE COPY OF THE PAGE NO. 1,2 & 3 OF THE PENSION BOOK OF THE
PETITIONER.

P5 - TRUE COPY OF THE JUDGMENT DT. 20.2.15 I FRANCIS K.L VS. KSRTC.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.18004 of 2015

Dated this the 22nd day of June, 2015

J U D G M E N T

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 service 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 first 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.

Sd/-
V.CHITAMBARESH,
Judge.

nj.