

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYAISHTA, 1937

WP(C).No. 18099 of 2015 (J)

PETITIONER(S) :

1. **G.SREEKANTAN, AGED 58 YEARS
VINEETH NIVAS, SASTHAVATTOM P.O.,
THIRUVANANTHAPURAM - 695 305
(DRIVER, NEDUMANGAD DEPOT, RETIRED ON 30.11.2013)**
2. **M.BHUVANENDRAN NAIR,
VYSAKH, PUTHUKULANGARA P.O.
NEDUMANGAD P.O., THIRUVANANTHAPURAM - 695 541
(DRIVER, VELLANAD DEPOT, RETIRED ON 30.9.2014)**
3. **E.NJANADAS,
THALIKKUNNIL VEEDU, PERAYAM P.O., PACHA, PALODE,
THIRUVANANTHAPURAM - 695 562
(DRIVER, NEDUMANGADU DEPOT, RETIRED ON 31.5.2015)**

BY ADV. SRI.N.SASIDHARAN UNNITHAN

RESPONDENT(S):

1. **KERALA STATE ROAD TRANSPORT CORPORATION
REP. BY THE MANAGING DIRECTOR, KSRTC,
TRANSPORT BHAVAN, THIRUVANANTHAPURAM
PIN : 695 023**

BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
17-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

VS

WP(C).No. 18099 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXT.P1 : COPY OF MEMORANDUM NO.PL12/025739/2008 DATED 7.4.2012
ISSUED FROM THE KSRTC**

**EXT.P2 : COPY OF THE RELEVANT PAGES OF THE MEMORANDUM OF
SETTLEMENT DATED 13.4.1999**

**EXT.P3 : COPY OF CASH RECEIPT ISSUED BY THE KSRTC TO THE
PETITIONERS**

**EXT.P4 : COPY OF THE PENSION PASS OF THE PETITIONERS ISSUED
BY THE KSRTC**

**EXT.P5 : COPY OF JUDGMENT DATED 18.3.2015 IN WP(C) NO.7914/2015
OF THIS HONOURABLE COURT.**

RESPONDENT(S)' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

VS

V.CHITAMBARESH, J

W.P.(C).No.18099 of 2015

Dated this the 17th 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 petitioners prior to their 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 petitioners 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 petitioners would also be subject to the modification if any by the Supreme Court in the Special Leave Petition of

course to be filed. The respondent is directed to do the needful in the case of the petitioners 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

VS