

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 14TH DAY OF JULY 2015/23RD ASHADHA, 1937

WP(C).No. 21175 of 2015 (V)

PETITIONERS:

1. T.VINCENT, DRIVER, KSRTC (RETIRED ON 31.5.2015)
THIRUVANANTHAPURAM CENTRAL DEPOT,
THAMPANOR, THIRUVANANTHAPURAM.
2. SURESH BABU S., DRIVER, KSRTC (RETIRED ON 31.5.2015)
THIRUVANANTHAPURAM CENTRAL DEPOT,
THAMPANOR, THIRUVANANTHAPURAM.
3. B.MADHUSOODANAN NAIR, DRIVER,
PALODE DEPOT, NEDUMANGADU,
THIRUVANANTHAPURAM.
4. P.M.ABDUL KHADER, CONDUCTOR(SPL.GRADE),
KSRTC, PERUMBAVOOR DEPOT,
PERUMBAVOOR, ERNAKULAM.
5. T.ANIL KUMAR, DRIVER, KSRTC,
NEDUMANGADU DEPOT, NEDUMANGADU,
THIRUVANANTHAPURAM.

BY ADV. SRI.K.P.RAJEEVAN

RESPONDENTS:

1. KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY ITS MANAGING DIRECTOR
TRANSPORT BHAVAN, FORT,
THIRUVANANTHAPURAM. PIN-695 023.
2. DISTRICT TRANSPORT OFFICER, KSRTC,
THIRUVANANTHAPURAM CENTRAL DEPOT,
THAMPANOR, THIRUVANANTHAPURAM, PIN-695 001.
3. DISTRICT TRANSPORT OFFICER, KSRTC,
PALODE DEPOT, NEDUMANGADU,
THIRUVANANTHAPURAM PIN-695 541.

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4. DISTRICT TRANSPORT OFFICER
KSRTC, PERUMBAVOOR DEPOT,
PERUMBAVOOR, ERNAKULAM, PIN-683 542.
5. DISTRICT TRANSPORT OFFICER
KSRTC, NEDUMANGADU DEPOT,
NEDUMANGADU, THIRUVANANTHAPURAM. PIN-695 541.

BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 - A TRUE COPY OF DUTY PASS ISSUED TO THE 1ST PETITIONER,
DATED NIL.
- EXHIBIT P2 - TRUE COPY OF THE REPRESENTATION DATED 28.05.2015
SUBMITTED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

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Dated this the 14th day of July, 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 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 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 petitioners 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 petitioners 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