

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

WP(C).No. 22646 of 2015 (E)

PETITIONER:

K. SUKUMARAN, RETIRED INSPECTOR,
KERALA STATE ROAD TRANSPORT CORPORATION,
ANASWARA, ZILLA COURT WARD,
THATHAMPALLI P.O., ALAPPUZHA.

BY ADV. SRI. AJITH KRISHNAN

RESPONDENT:

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

BY SRI. M. GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO. 22646/2015

APPENDIX

PETITIONER(S) EXHIBITS

EXHIBIT P1 : TRUE COPY OF THE REPRESENTATION DTD. 18.06.2015
SUBMITTED BY THE PETITIONER BEFORE RESPONDENT

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 22646 OF 2015

Dated this the 28th 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 [2015(1) KLT 1051]**. 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 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 petitioner would also be subject to the modification if any by the Supreme Court in the

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Special Leave Petition ofcourse to be filed. The 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.

**V. CHITAMBARESH
JUDGE**

ncd