

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 23RD DAY OF FEBRUARY 2015/4TH PHALGUNA, 1936

WP(C).No. 26215 of 2013 (B)

PETITIONER:

**RADHIKA.M
ASSISTANT FINANCE OFFICER
KERALA STATE ELECTRICITY BOARD, GENERATION CIRCLE
THRISSUR**

**BY ADVS.DR.K.P.SATHEESAN (SR.)
SRI.M.R.JAYAPRASAD
SRI.P.MOHANDAS (ERNAKULAM)
SRI.ANOOP.V.NAIR
SRI.S.VIBHEESHANAN
SMT.T.S.SAJITHA
SRI.A.K.VINOD
SRI.K.R.AJITHBABU
SRI.P.T.HAKIM**

RESPONDENTS:

- 1. KERALA STATE ELECTRICITY BOARD
REPRESENTED BY ITS SECRETARY, VYDYUTHI BHAVANAM
PATTOM, THIRUVANANTHAPURAM 695 004**
- 2. THE CHIEF ENGINEER(H.R.M.)
K.S.E.B, VYDYUTHI BHAVANAM, PATTOM
THIRUVANANTHAPURAM 695 004**
- 3. THE SECRETARY AND CONVENER,
DEPARTMENT PROMOTION COMMITTEE(HIGHER)FOR ADMINISTRATIVE
AND FINANCIAL OFFICERS
KERALA STATE ELECTRICITY BOARD, VYDYUTHI BHAVAN
PATTOM, THIRUVANANTHAPURAM 695 004**

R1 -R 3 BY ADV. SRI.K.S.ANIL, SC, KSEB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 TRUE COPY OF THE BOARD ORDER B.O(FB) NO 395/2012(ESTT.III/CR-RULES/2006) DATED 18-02-2012
- EXT.P2 TRUE COPY OF THE BOARD ORDER B.O(FB) NO 1664/2002
(ESTT.VII/7628/2002) DATED 10-12-2012
- EXT.P3 TRUE COPY OF THE ORDER B.O(FM) NO 2222/2013 ESTT.-III/CR-RULES/2006) DATED 18-10-2013
- EXT.P4 TRUE COPY OF THE ORDER B.O(MF) NO 2223/2013(ESTT.III/3253/2012)
DATED 18-10-2013
- EXT.P5 TRUE COPY OF THE ORDER B.O(FB) NO 1625/2013 (ESTT.-1/5050/2007)
DATED 25-07-2013
- EXT.P6 TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER
DATED 21-10-2013
- EXT.P7 TRUE COPY OF THE CIRCULAR NO.72/2005/FIN.DATED 30.12.2005
ISSUED BY THE GOVERNMENT OF KERALA
- EXT.P8 TRUE COPY OF THE ORDER B.O. (FB) NO.532/2007 (ESTT.I/251/07)
DATED 7.3.2007 ISSUED BY THE FIRST RESPONDENT
- EXT.P9 TRUE COPY OF THE ORDER B.O. (FB) NO.2313/2007 (ESTT.I/251/2007)
DATED 11.10.2007 ISSUED BY THE FIRST RESPONDENT

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

JJJ

A. MUHAMED MUSTAQUE, J.

W.P.(C) No. 26215 of 2013

Dated this the 23rd day of February, 2015

J U D G M E N T

The petitioner, presently working as Assistant Finance Officer, has approached this court aggrieved by the action of the Kerala State Electricity Board in not counting the period of Leave-Without-Allowance on medical grounds, for the purpose of promotion.

2. Pending this Writ Petition, the petitioner also produced Ext.P7 circular issued by the Government. The petitioner submits that the Board adopted the same by Ext.P8. Therefore, it is submitted that in the light of the adoption by the Board, she is eligible for the Leave-Without-Allowance period on medical grounds, to be counted for the purpose of promotion.

3. In view of the above circumstance, appropriate decision shall be taken by the 3rd respondent after adverting to Exts.P7 and P8, and the representation made by the petitioner by Ext.P6, within a period of two months from the date of receipt of the copy of this judgment.

Writ Petition is disposed of accordingly.

Sd/-
A. MUHAMED MUSTAQUE,
JUDGE

jjj