

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937H

WP(C).No. 25797 of 2015 (Y)

PETITIONER:

ISSAC VARGHESE, AGED 66,
ORZHINGARA HOUSE, IRINGOLE P.O.,
PERUMBAVOOR (CONDUCTOR,
RETIRED, KSRTC, ALUVE)

BY ADVS.SRI.P.JAYAKUMAR
SRI.V.N.MOHANADASAN

RESPONDENTS:

1. MANAGING DIRECTOR,
KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN, TRIVANDRUM 695 001.
2. DISTRICT TRANSPORT OFFICER,
KERALA STATE ROAD TRANSPORT CORPORATION,
ALUVA 683 101.

BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE SERVICE CERTIFICATE DATED 18.09.1980
ISSUED BY THE DISTRICT TRANSPORT OFFICER, ALUVA.
- EXHIBIT P2 : TRUE COPY OF THE MEMORANDUM ISSUED BY THE 2ND
RESPONDENT DATED 15.06.1992.
- EXHIBIT P3 : TRUE COPY OF THE CASH RECEIPT NO. 16492 DATED 15.06.1992.
- EXHIBIT P4 : TRUE COPY OF THE CASE RECEIPT NO. 67562 DATED 4.04.1994.
- EXHIBIT P5 : TRUE COPY OF THE MEMORANDUM DATED 15.02.1995.
- EXHIBIT P6 : TRUE COPY OF THE MEMORANDUM DATED 30.01.1997.
- EXHIBIT P7 : TRUE COPY OF THE MEMORANDUM DATED 08.07.1997.
- EXHIBIT P8 : TRUE COPY OF THE MEMORANDUM DATED 03.01.1998 ON
COMPLETION OF 179 DAYS.
- EXHIBIT P9 : TRUE COPY OF THE MEMORANDUM DATED 09.09.1998.
- EXHIBIT P10 : EXTRACTS FROM THE JUDGMENT DATED 05.08.2002 IN OP 9291 OF
2001.
- EXHIBIT P11 : TRUE COPY OF THE APPOINTMENT ORDER DATED 30.10.2003
ISSUED BY THE OFFICE OF THE MANAGING DIRECTOR KSRTC
- EXHIBIT P12 : TRUE COPY OF THE RELIEVING ORDER DATED 29.01.2004.
- EXHIBIT P13 : TRUE COPY OF THE REPRESENTATION 19.03.2014.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

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Dated this the 21st day of August, 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 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

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Special Leave Petition ofcourse to be filed. The respondents are 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