

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 19TH DAY OF OCTOBER 2015/27TH ASWINA, 1937

WP(C).No. 31801 of 2015 (A)

PETITIONER(S) :

M. VIJAYAN AGED 58 YEARS
S/O.NARAYANAN NAIR, KRISHNAPRIYA
MOORIKARA P.O, KAKKODY,
KOZHIKODE DISTRICT, 673 611, (CONDUCTOR
RETIRED ON 31.10.2012 FROM KOZHIKODE)

BY ADV. SRI.K.P.JUSTINE (KARIPAT)

RESPONDENT(S) :

1. THE MANAGING DIRECTOR
KERALA STATE ROAD TRANSPORT CORPORATION
TRANSPORT BHAVAN, EAST FORT
THIRUVANANTHAPURAM-695 027.
2. THE EXECUTIVE DIRECTOR
(ADMINISTRATION),
KERALA STATE ROAD TRANSPORT CORPORATION
TRANSPORT BHAVAN, EAST FORT
THIRUVANANTHAPURAM-695 027.
3. THE DISTRICT TRANSPORT OFFICER
KERALA STATE ROAD TRANSPORT CORPORATION
KOZHIKODE - 673 611.

BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
19-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C)NO.31801/2015

APPENDIX

PETITIONERS EXHIBITS

P1-TRUE COPY OF THE PENSION PASS ISSUED TO THE PETITIONER

P2-TRUE COPY OF PAGE NOS 1 TO 3 OF THE PENSION BOOK

P3-TRUE COPY OF REPRESENTATION DATED 28.8.2015

P4-TRUE COPY OF THE JUDGMENT DATED 20.2.2015 IN FRANCIS KL. VS. KSRTC
(2015 (2) KHC 1 (LARGER BENCH))

RESPONDENTS EXHIBITS

NIL

TRUE COPY

SKS

P.A. TO JUDGE

V.CHITAMBARESH, J.

W.P (C) No.31801 of 2015

Dated this the 19th day of October, 2015

J U D G M E N T

The issue is covered by the common judgment dated 20.2.2015 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 petitioner prior to his regular appointment are 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 filed against the common judgment of the Larger Bench is pending 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. 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.

