

Devanand a. vs Kerala State Electricity Board - Kseb

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Court : Kerala

Decided On : Mar-01-2023

Judge : Honourable Mr.Justice N.Nagaresh

Appeal No. : WP(C)/25220/2022

Appellant : Devanand a.

Respondent : Kerala State Electricity Board - Kseb

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH
WEDNESDAY, THE 1ST DAY OF MARCH 2023 / 10TH PHALGUNA,
1944 WP(C) NO. 25220 OF 2022 PETITIONER: DEVANAND A. AGED
49 YEARS S/O.ANANDAN, EMPLOYEE CODE-1048339, SENIOR
SUPERINTENDENT, AVANAVANCHERY, ATTINGAL DIVISION,
THIRUVANANTHAPURAM-695 103, RESIDING AT DARSANAM,
MAYYANAD P.O., KOLLAM - 691 303. BY ADV B.MOHANLAL
RESPONDENTS:

1 KERALA STATE ELECTRICITY BOARD - KSEB REPRESENTED BY
ITS SECRETARY, VYDYUTHI BHAVANAM, PATTOM P.O.,

THIRUVANTHAPURAM- 695 004. 2 THE CHIEF ENGINEER (HUMAN RESOURCES DEPARTMENT), VYDYUTHI BHAVANAM, PATTOM P.O., THIRUVANTHAPURAM- 695 004. 3 THE EXECUTIVE ENGINEER, ELECTRICAL DIVISION ATTINGAL, THIRUVANANTHAPURAM-695 101. 4 THE ASSISTANT ENGINEER, AVANAVANCHERY, ATTINGAL DIVISION, THIRUVANANTHAPURAM-695 103.

BY ADV K.S.ANIL FOR R1 TO R4 :2 : THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01.03.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: :3 :

JUDGMENT

Dated this the 1st day of March, 2023 The petitioner is before this Court challenging Ext.P5. The petitioner challenged the calculation of his index in General Transfer 2022. The petitioner had earlier filed W.P.(C) No.22163/2022 before this Court. This Court directed the respondents to examine Ext.P3 representation submitted by the petitioner.

2. After considering the representation, the application

submitted by the petitioner was rejected holding that the index of the petitioner was calculated by the system based on the relevant provisions of General Transfer guidelines and therefore the challenge by the petitioner lacks merit. Ext.P3 :4 :

representation was accordingly rejected as per Ext.P5 order

dated 29.07.2022.

3. The Standing Counsel representing the Kerala

State Electricity Board submitted that the petitioner has an alternate remedy of filing appeal against Ext.P5 before the 1 st respondent-Kerala State Electricity Board. If the petitioner prefers an appeal before the Kerala State Electricity Board,

the same will be considered in accordance with law.

4. The counsel for the petitioner submits that the petitioner is ready to file an appeal within a period of two weeks and the 1st respondent may be directed to consider the same expeditiously.

5. In view of the stand so taken by the parties, I am of

the view that this writ petition can be disposed of directing the 1st respondent-Kerala State Electricity Board to consider the appeal that may be preferred by the petitioner. The writ petition is accordingly disposed of directing the 1st respondent-Kerala State Electricity Board that if the petitioner prefers an appeal within a period of two weeks from :5 : today, the same shall be considered by the 1 st respondent and appropriate orders thereon shall be passed within a further period of one month. Sd/- N. NAGARESH JUDGE sss :6 : APPENDIX OF WP(C) 25220/2022 PETITIONER'S EXHIBITS EXHIBIT P1 THE TRUE COPY OF THE ORDER BO (FTD) NO: OFFICERS] DATED 07/05/2022 ISSUED BY THE 1ST RESPONDENT. EXHIBIT P2 THE TRUE COPY OF THE SERVICE DETAILS OF THE PETITIONER OBTAINED FROM THE BOARD FOR THE PERIOD FROM 17.08.1998 TO 15.06.2022 EXHIBIT P3 THE TRUE COPY OF THE REPRESENTATION DATED 06/06/2022 FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT, THROUGH PROPER CHANNEL. EXHIBIT P4 THE TRUE COPY OF THE JUDGMENT IN W.P.

(C) NO:22163/2022 DATED 07/07/2022 OF THIS HON'BLE COURT.

EXHIBIT P5 THE TRUE COPY OF THE ORDER

NO.EB3(A)/GT-2022/22163/2022/202223/57 DATED 29/07/2022 ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P6 THE TRUE COPY OF THE ORDER

NO.EB3(A)/SS/GT-DRAFT/2022 DATED EXHIBIT P7 THE TRUE COPY OF THE RELEVANT PAGES OF THE ORDER NO.EB3(A)/SS/GT/2022 DATED FOR GENERAL TRANSFER 2022 TO THE POST OF SENIOR SUPERINTENDENT IN

KSEB LIMITED.

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