

Ajithkumar.P.D. vs Managing Director

Ajithkumar.P.D. vs Managing Director

SooperKanoon Citation : sooperkanoon.com/1525654

Court : Kerala

Decided On : Aug-29-2022

Judge : Honourable Mr. Justice Devan Ramachandran

Appeal No. : WP(C)/27523/2022

Appellant : Ajithkumar.P.D.

Respondent : Managing Director

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN MONDAY, THE 29TH DAY OF AUGUST 2022 / 7TH BHADRA, 1944 PETITIONERS: 1 AJITHKUMAR.P.D. S/O.P.K.DAMODARAN, RESIDING AT PUTHENPARAMBIL HOUSE, MANJALI, MANNAM.P.O, N.PARAVUR-683520, (CONDUCTOR, KERALA STATE ROAD TRANSPORT CORPORATION), RETIRED ON 31.05.2022, FROM N.PARAVUR DEPOT). 2 JOSEPH K.A, S/O AUGUSTINE.K.V, KANAKKASSERY HOUSE, EDAVANAKKAD.P.O, VYPIN-682502, (CONDUCTOR, KERALA STATE ROAD TRANSPORT CORPORATION), RETIRED ON 31.05.2022, FROM N.PARAVUR DEPOT). 3 JAYASANKAR.P.G, S/O. P.K. GANGADHARAN,

VELNILAYAM HOUSE, KANNACHIRAYIL, KEDAMANGALAM, N.PARAVUR.P.O, PIN-683513. (CONDUCTOR, KERALA STATE ROAD TRANSPORT CORPORATION), RETIRED ON 31.05.2022, FROM N.PARAVUR DEPOT). 4 SIBI.V.A, S/O.ANTONY.V, VADASSERY HOUSE, NAYARAMBALAM.P.O, KUDUNGASSERY, VYPIN-682509, (DRIVER , KERALA STATE ROAD TRANSPORT CORPORATION), RETIRED ON 30.04.2022, FROM N.PARAVUR DEPOT). 5 JOSE KURIAN.K, S/O.KURIAKOSE, KOOTTALA HOUSE, KARAMPADY, ALANGAD.P.O, PIN-683513, (DRIVER , KERALA STATE ROAD TRANSPORT CORPORATION), RETIRED ON 31.01.2022, FROM N.PARAVUR DEPOT). 6 JOSE G.ARAKKAL, S/O.GEORGE.A.J, ARAKKAL HOUSE, EAST OF VADAYIL CHURCH,NAYARAMBALAM.P.O, VYPIN-682509, (INSPECTOR, KERALA STATE ROAD TRANSPORT CORPORATION), RETIRED ON 31.05.2022, FROM KOTHAMANGALAM DEPOT). BY ADVS. K.P.JUSTINE (KARIPAT) A.JOSEPH GEORGE (AZHIKKAKATH) RESPONDENTS: 1 MANAGING DIRECTOR REPRESENTED BY ITS MANAGING DIRECTOR, TRANSPORT BHAVAN, 2 THE MANAGING DIRECTOR, 3 THE FINANCIAL ADVISOR & CHIEF ACCOUNTS OFFICER, 4 THE EXECUTIVE DIRECTOR(ADMINISTRATION),

5 THE DEPUTY CHIEF ACCOUNTS OFFICER(PENSION), KERALA STATE ROAD TRANSPORT CORPORATION, TRANSPORT BHAVAN, EAST FORT, THIRUVANANTHAPURAM-695023. 6 THE ASSISTANT TRANSPORT OFFICER, KERALA STATE ROAD TRANSPORT CORPORATION, N.PARAVUR DEPOT- 683513. 7 THE ASSISTANT TRANSPORT OFFICER, KERALA STATE ROAD TRANSPORT CORPORATION, KOTHAMANGALAM DEPOT-686691. OTHER PRESENT: ALEX ANTONY SEBASTIAN P.A. - SC THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29.08.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioners singularly seek that respondents be directed to sanction and disburse to them their monthly pension, along with arrears and eligible DCRG, CVP, Leave Surrender Salary and State Life Insurance amounts, within a time frame to be fixed by this Court.

2. The afore request of the petitioners, as made by their

learned counsel - Sri.K.P.Justine, was answered by Sri.Alex Antony Sebastian - learned Standing Counsel for the Kerala State Road Transport Corporation (KSRTC), saying that, in order to fix their pensionary benefits, a minimum of four months time will be required. Taking note of the afore submissions and since there is no

contest regarding the eligibility of the petitioners as of now, I order

this writ petition and direct the competent among respondents to ensure that the afore benefits are disbursed to them within a period of four months from the date of receipt of a copy of this judgment; failing which, it will carry interest at the rate of 8% per annum, from the date on which it became due, until it is actually paid. Needless to say, if the afore directions are complied with by the KSRTC, I leave it open to the petitioners to seek interest on the amounts concerned, through other appropriate Forums; for which purpose, all their contentions are left open. SD/-
DEVAN RAMACHANDRAN JUDGE rp APPENDIX OF WP(C) 27523/2022
PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE PENSION PASS ISSUED TO THE 1ST Exhibit P2 TRUE COPY OF THE PENSION PASS ISSUED TO THE 2ND Exhibit P3 TRUE COPY OF PENSION PASS ISSUED TO THE 3RD Exhibit P4 TRUE COPY OF THE PENSION PASS ISSUED TO THE 4TH Exhibit P5 TRUE COPY OF THE PENSION PASS ISSUED TO THE 5TH Exhibit P6 TRUE COPY OF THE PENSION PASS ISSUED TO THE 6TH Exhibit P7 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 1ST PETITIONER BEFORE R2 ON 16.06.2022. Exhibit P8 TRUE COPY OF THE RREPRESENTATION SUBMITTED BY THE 2ND PETITIONER BEFORE R2 ON 16.06.2022 Exhibit P9 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 3RD PETITIONER BEFORE R2 ON 16.06.2022 Exhibit P10 TRUE

COPY OF THE REPRESENTATION SUBMITTED BY THE 4TH PETITIONER BEFORE R2 ON 01.05.2022 Exhibit P11 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 5TH PETITIONER BEFORE R2 ON 02.02.2022. Exhibit P12 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 6TH PETITIONER BEFORE R2 ON 16.06.2022.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com