

(2022) 06 KL CK 0297

In the High Court Of Kerala

Case No : Writ Petition (C) No. 17491 Of 2022

Sunil Joseph, Inspector, Ksrtc, Perumbavoor Depot,
Ernakulam District

APPELLANT

Vs

Kerala State Road Transport Corporation

RESPONDENT

Date of Decision : 24-06-2022

Acts Referred:

Citation : (2022) 06 KL CK 0297

Hon'ble Judges : Devan Ramachandran, J

Bench : Single Bench

Advocate : K.P.Rajeevan, Deepu Thankan

Final Decision : Allowed

Judgement

Devan Ramachandran, J

1. The petitioner asserts that certain periods - the dates of which are mentioned in this writ petition, are entitled to be treated as regular duty, leading to the grant of service benefits to him, in the light of Note 4 of Rule 12(7) of Part I of the Kerala Service Rules (KSR). He says that, as is evident from Ext.P6, the bill for an amount of Rs.2,24,800/- has been prepared towards the arrears of salary, but that the same has not been yet disbursed to him. He submits that he is now facing extreme financial crisis and that unless this amount is immediately released, he will put to irreparable prejudice. He says that he has, therefore, preferred Ext.P5 representation before the second respondent - Chairman and Managing Director of the KSRTC and prays that the said Authority be directed to consider the same and issue appropriate orders thereon, within a time frame to be fixed by this Court.

2. The afore submissions of Sri.K.P.Rajeevan - learned counsel for the petitioner, were answered by Smt.Shahanas K.P.- learned counsel representing the standing counsel for the KSRTC, saying that if the petitioner only requires Ext.P5 to be taken up and disposed of by the second respondent appositely, she will not stand

in the way of such orders being issued by this Court; however, praying that this Court may not make any affirmative declarations as to the entitlement of the petitioner to any relief and leave it to the competent Authority to take a decision on it in terms of law.

3. When I consider the afore submissions, it is evident that the petitioner is impelling a case of extreme requirement for money and I am, therefore, certain that the second respondent must take up Ext.P5 and decide on it within the shortest period of time.

4. Resultantly, I allow this writ petition and direct the second respondent to take up Ext.P5 representation of the petitioner, adverting to Ext.P6 bill and after affording him an opportunity of being heard; thus culminating in an appropriate order and necessary action thereon, as expeditiously as is possible, but not later than one month from the date of receipt of a copy of this judgment.

In order to obtain an expeditious compliance of this judgment, I direct the petitioner to mark appearance before the second respondent at 11 A.M. on 01.07.2022, on which day, the said Authority will either hear him or fix a convenient date for such purpose and complete proceedings within the afore time frame.