



GOVERNMENT OF KERALA

Abstract

Finance Department- TA. No. 805/12 in WP(C) No.19701/2006 filed before the Hon'ble KAT by Sri K. Sukumar, Asst. Engineer (Rtd.), Public Works Department - Judgment Complied - Orders issued - Reg.

FINANCE (PENSION - B) DEPARTMENT

G.O.(Rt).No.2125/Fin/2018

Dated, Thiruvananthapuram, 16.03.2018

Read : (1) Judgment dated 07.06.2017 in TA.No.805/12 in WP(C)No.19701/2006
(2) Judgment in Mohammed Basheer A. Vs State of Kerala and others
(2014(4) KHC 658)

ORDER

Sri. K. Sukumar, Asst. Engineer, Public Works Department retired has filed T.A No. 805/12 before the Hon'ble Kerala Administrative Tribunal, Thiruvananthapuram to reckon his prior service in KSEB for pensionary benefits.

2. Sri. K. Sukumar has retired as Asst. Engineer in Public Works Department on 31.03.2003. The applicant had service as a Second Grade Draftsman in the Survey & Lands Records Department from 28.07.1972 to 10.05.1973 , then the applicant joined the Kerala State Electricity Board on 11.05.1973 and was relieved on 29.10.1986. After that the applicant joined the Public Works Department as an Asst. Engineer on 30.10.1986 and retired on 31.03.2003.

3. On consideration of the case, the Hon'ble Kerala Administrative Tribunal has noticed that the Division Bench of the Hon'ble High Court as per its judgment in Mohammed Basheer A. Vs State of Kerala and others 2014 (4) KHC 658 has held that prior service in the State Government/ State Autonomous Bodies were liable to be reckoned as qualifying service for granting pensionary benefits. The above judgment though taken up in challenge before the Hon'ble Supreme Court, the challenge was repelled and the same has become final, In view of the Judgment of Hon'ble Apex Court , the Hon'ble Kerala Administrative Tribunal, Thiruvananthapuram has allowed the writ petition and ordered to reckon the previous service of

the applicant in the KSEB as qualifying service for pensionary benefits as per the judgment read 1st above.

4. Government have examined the matter in details and are pleased to reckon the prior service in KSEB from 11.05.1973 to 29.10.1986 of Sri. K. Sukumar, Asst. Engineer PWD (Rtd.) as qualifying service for the purpose of pensionary benefits in order to comply with the judgment. The Chief Engineer, PWD (R&B) Government of Kerala, Thiruvananthapuram, shall disburse the arrears of pension to the petitioner within a period of three months from the date issuing of this order. This should not be quoted as a precedent.

5. Thus the order of the Hon'ble Kerala Administrative Tribunal, Thiruvananthapuram stands complied with .

By Order of the Governor,

DR. SHARMILA MARY JOSEPH
SECRETARY (FINANCE EXPENDITURE)

To

- (1) The Principal Accountant General (A&E), Thiruvananthapuram
- (2) The Principal Accountant General (G&SSA), Thiruvananthapuram
- (3) The Accountant General (E&RSA), Thiruvananthapuram
- (4) The Advocate General, Kerala, Ernakulam
- (5) The Advocate General, Vanchiyoore, Thiruvananthapuram
- (6) Liaison Officer, O/o of the Advocate General, Kerala, Ernakulam.
- (7) Sri. K. Sukumar, Thottapallil Mepral P.O, Thiruvalla,
Pathanamthitta, Dist., Kerala
- (8) The Director of Treasuries, Thiruvananthapuram
- (9) The Nodal officer, www.finance.kerala.gov.in for publishing on the website.
- (10) Stock File / Office Copy.

Forwarded/By Order


Section Officer