



GOVERNMENT OF KERALA

Abstract

Finance Department - W.A.No.1216/2014 filed by Smt. Prasanna.N, Principal(Rtd), SNGHSS, Chempazhanchy before Honourable High Court of Kerala -Judgment Complied-Order issued.

FINANCE (PENSION - B) DEPARTMENT

G.O.(Rt).No. 8603/2016/Fin. Dated, Thiruvananthapuram, 19.10.2016.

Read:- 1) Judgment dated 30.06.2016 in WA No. 1216 of 2014

ORDER

Smt. Prasanna.N, Retired Principal of S.N.G.H.S School, Chempazhanchi has filed WP(C) No. 26001/07 before honorable High Court to reckon the period of break in service from 01.04.1978 to 06.06.1978 for calculating the qualifying service for pension and to refix the pensionary benefits according to that. The learned Single Judge dismissed the writ petition observing that Rule 31 has to read with Rule 14E Part III KSR and hence the period of interruption cannot be counted for pension.

2. The incumbent then filed Writ Appeal No. 1216/14 and in the Writ Appeal the Hon'ble High Court found that the incumbent was appointed in a regular vacancy in which she continued even on her re-appointment though there was an unnecessary interruption on account of the summer vacation. Also Rule 14E of Part III KSR, relates to counting of service rendered in aided school followed by Government Service where as the appellant's service is in aided school through out. Hence High Court has set aside the judgment in WP(C) 26001 of 2007.

4. Government examined the matter and are pleased to comply the judgment by reckoning the break in her service for a period from 01.04.1978 to 06.06.1978 towards qualifying service for the purpose of pension.

5. The order of Hon'ble High Court dated 30.06.2016 in Writ Appeal No. 1216/14 is thus compiled with.

By Order of the Governor,

Dr.K.M.Abraham
Additional Chief Secretary (Finance)

To

The Principal Accountant General (A&E), Kerala, Thiruvananthapuram.
The Principal Accountant General (G&S SA), Kerala, Thiruvananthapuram.
The Accountant General (E&RSA), Kerala, Thiruvananthapuram.
Smt. Prasanna.N, Principal(Rtd), S.N.G.H.S.S, Chempazhanthi.
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Section Officer