

THE HON'BLE SRI JUSTICE NOUSHAD ALI

WRIT PETITION No.37840 of 2013

Date: 31.12.2013

Between :

Waheed Khan

.... Petitioner

and

The Depot Manager, A.P.S.R.T.C.,
BHEL Depot, Hyderabad and another

.... Respondents

THE COURT MADE THE FOLLOWING:

THE HON'BLE SRI JUSTICE NOUSHAD ALI

-
WRIT PETITION No.37840 of 2013

ORDER:

Heard Sri Ch.Ravinder, learned counsel for the petitioner and Sri C.Sunil Kumar Reddy, learned Standing Counsel for Andhra Pradesh State Road Transport Corporation (APSRTC) for respondents.

2. The petitioner, a Mechanic (Grade-II) in APSRTC, is seeking a writ of Mandamus to declare the action of the respondents in not calculating retirement benefits so as to be paid to him soon after retirement on 31.12.2013. The petitioner has approached this Court on reasonable apprehension that the benefits will not be paid to him within reasonable time in view of his past experience.

3. The petitioner was removed from service on 20.10.2000. He obtained an Award to reinstate him with continuity of service but without back wages and attendant benefits in I.D.No.62 of 2005 from the Labour Court-II, Hyderabad on 18.06.2008. But the Award was not given effect to though it was published in the Gazette vide G.O.Rt.No.1488 dated 05.07.2008. He was compelled to approach this court in W.P.No.4587 of 2012 seeking implementation of the Award and this Court by order, dated 02.03.2012, issued a direction to the respondents 1 and 2 therein to consider his representations and pass appropriate orders. He was ultimately given reinstatement only on 28.04.2012 under threat of contempt in C.C.No.402 of 2012.

4. The petitioner is retiring on 31.12.2013. However, no steps, as required under the procedure, have been taken to settle the

retirement benefits soon after the retirement. The petitioner states that the respondents are not likely to release the benefits with a view to cause hardship to him as he had approached the court earlier.

5. Sri C.Sunil Kumar Reddy, learned Standing Counsel has taken notice on behalf of the respondents and represents that steps are being taken for early release of the retirement benefits payable to the petitioner as per his entitlement.

6. In view of the submission made on behalf of the respondents, this Writ Petition is disposed of directing the respondents to release all the retirement benefits payable to the petitioner as per his entitlement as expeditiously as possible preferably within a period of four weeks from the date of receipt of a copy of this order. No order as to costs.

7. In view of the disposal of the writ petition, W.P.M.P.No.47083 of 2013 is dismissed as unnecessary.

JUSTICE NOUSHAD ALI

Date: 31.12.2013.
TJMR