

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

Con.Case(C).No. 101 of 2015 (S) IN WP(C).15905/2012

WP(C) 15905/2012 of HIGH COURT OF KERALA

PETITIONER(S)/PETITIONER IN WPC NO. 15905 OF 2012:

**IVAN THOMAS, S/O.K.M.THOMAS, AGED 62 YEARS
BRANCH MANAGER (RETIRED)
KOTTAYAM DISTRICT CO-OPERATIVE BANK. NOW
RESIDING AT KARIPARAMBIL HOUSE
PODIMATTAM, PARATHODU P.O., KANJIRAPPALLY
KOTTAYAM DISTRICT.**

BY ADV. SRI.BIJU MARTIN

RESPONDENT(S)/RESPONDENTS IN WPC.NO. 15905 OF 2012:

1. V.K.VIJAYAN

**(AGE AND FATHER'S NAME
NOT KNOWN TO THE PETITIONER) THE SECRETARY
KERALA STATE CO-OPERATIVE EMPLOYEES PENSION BOARD
THIRUVANANTHAPURAM - 695 001.**

2. SHRI. RAJEEV

**(AGE AND FATHER'S NAME
NOT KNOWN TO THE PETITIONER) SECRETARY
CO-OPERATIVE EMPLOYEES WELFARE FUND BOARD
(SECRETARY-IN-CHARGE) KERALA STATE CO-OPERATIVE EMPLOYEES
PENSION BOARD
THIRUVANANTHAPURAM - 695 001.**

R1-R2 BY ADV. SRI.K.R.SUNIL,SC,CO-OP.EMP.PENSION BOAR

**THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 03-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Imp

Con.Case(C).No. 101 of 2015 (S) IN WP(C).15905/2012

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE 1: CERTIFIED COPY OF THE JUDGMENT DATED 21/08/2014 IN WPC.NO. 15905/2012.

ANNEXURE 2: COPY OF THE REPRESENTATION DATED 10/10/2014.

ANNEXURE 3: TRUE COPY OF LETTER NO. PB/LO/5024 DATED 13/11/2014.

RESPONDENT(S)' EXHIBITS - NIL

//TRUE COPY//

P.A. TO JUDGE

Imp

A.V.RAMAKRISHNA PILLAI, J.

Con. Case No.101 of 2015

Dated this the 3rd day of March, 2015

JUDGMENT

The learned Standing Counsel for the Pension Board submits that as it was necessary to have the service book, PF ledger showing the date of commencement of the contributory provident fund, calculation statement etc. in the name of the petitioner for due compliance of the judgment of this Court, the respondent vide letter dated 25.11.2014 requested the employer to submit the above mentioned details to the Pension Board immediately so as to comply with the Board direction. It was submitted that the Pension Board could not process the pension request of the petitioner on account of the failure of production of these documents. It was also submitted that on 4.02.2015 the respondent after hearing the petitioner concluded the proceeding and passed an order and the same was forwarded to the petitioner.

The learned counsel for the petitioner submits that it

was only on account of the laches on the part of the Service Co-operative Bank, Kanjirappilly, the relevant papers were not submitted to the Pension Board. On a perusal of the records, it appears that the said bank is not a party to the writ petition. Therefore this contempt petition is closed permitting the petitioner to proceed against the custodian of the papers in appropriate proceedings.

Sd/-
A.V.RAMAKRISHNA PILLAI
JUDGE

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//TRUE COPY//

PA TO JUDGE

