

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&**

THE HONOURABLE MR.JUSTICE K.HARILAL

MONDAY, THE 30TH DAY OF MARCH 2015/9TH CHAITHRA, 1937

W.A.No. 526 of 2015 () IN WP(C).33261/2014

AGAINST THE ORDER IN WP(C) 33261/2014 of HIGH COURT OF KERALA DATED 07-01-2015

APPELLANT(S)/2ND AND 3RD RESPONDENTS:

- 1. KERALA AGRICULTURAL UNIVERSITY,
REPRESENTED BY ITS REGISTRAR, VELLANIKKARA,
THRISSUR-680 656**
- 2. THE COMPTROLLER,
KERALA AGRICULTURE UNIVERSITY, VELLANIKKARA,
THRISSUR-680 656.**

**BY ADV. SRI.BABU JOSEPH KURUVATHAZHA,SC,KERALA AGRICULTURAL
UNIVERSITY.**

RESPONDENTS/PETITIONER & RESPONDENTS 1 AND 4:

- 1. DIVAKAR U, AGED 56 YEARS,
S/O.R.GANGADHARAN NAIR, SCIENTIFIC OFFICER (RETIRED),
AGRICULTURAL TECHNOLOGY INFORMATION CENTRE, MANNUTHY,
THRISSUR RESIDING AT RAYIRATH HOUSE, PATTIKKAD.P.O.
THRISSUR-680 652.**
- 2. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, AGRICULTURAL DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 3. JOINT DIRECTOR,
LOCAL FUND AUDIT, KERALA AGRICULTURAL UNIVERSITY,
VELLANIKKARA-680 656.**

R1 BY ADV. SRI.SHAJI P.CHALY

R2 & R3 BY SENIOR GOVERNMENT PLEADER SRI.S.JAMAL

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 30-03-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

P.T.O.

**THOTTATHIL B.RADHAKRISHNAN
&
K.HARILAL, JJ.**

W.A.No.526 of 2015

Dated this the 30th day of March, 2015

JUDGMENT

Thottathil B.Radhakrishnan, J.

Heard the learned counsel appearing for the appellant and the learned counsel appearing for the respondents.

2. This appeal is filed against the interlocutory order issued in a writ petition. The matter relates to the claim of the 1st respondent as to retiral benefits. By way of interim order, the learned single Judge directed disbursement of Rs.5 lakhs. Obviously, as rightly stated in the impugned order itself, that will be subject to further orders of this Court, which shows that no issues of law or on facts as between the parties have been decided and all questions are available for adjudication in the writ petition. We, therefore, see no merit in the writ appeal.

3. Learned counsel for the 1st respondent states that an amount of Rs.5 lakhs has already been paid. We record this

submission.

In the result, this writ appeal is dismissed.

Sd/-

THOTTATHIL B.RADHAKRISHNAN
JUDGE

Sd/-
K.HARILAL
JUDGE

//true copy//

P.S. to Judge

St/-