

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

WP(C).No. 10882 of 2014 (I)

PETITIONER:

K.SAVITHRI, W/O LATE SANKARA KURUP,
AGED 65 YEARS, 'DURGA NIVAS', OPP: INDUS MOTORS,
ERANJIPALAM P.O., KOZHIKODE DISTRICT.

BY ADVS.SMT.DAISY A.PHILIPOSE
SRI.JAI GEORGE

RESPONDENTS:

1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL), KOZHIKODE - 673 001.
2. THE KERALA STATE EMPLOYEES PENSION BOARD,
KALANIVAS, T.C.NO.27/156, CHINMAYA LANE,
NEAR AYURVEDA COLLEGE, THIRUVANANTHAPURAM
REP. BY ITS SECRETARY - 695 001.
3. VELOM PANCHAYATH SERVICE CO-OPERATIVE BANK
LIMITED, CHERUPURAM P.O., KAKKATTIL,
REP. BY ITS SECRETARY - 673 512.

R3 BY ADVS. SRI.C.ANIL KUMAR
SMT.A.K.PREETHA

R2 BY ADV. SRI.K.R.SUNIL

R1 BY GOVERNMENT PLEADER SRI.G.GOPAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
29-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WPC 10882/2014

PETITIONER'S EXHIBITS:

EXT. P1 A COPY OF THE SETTLEMENT DATED 13.5.1996 BETWEEN THE PETITIONER AD THE THIRD RESPONDENT

EXT. P2 A COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN OP 11655/2001

EXT. P3 A TRUE COPY OF THE RODER DATED 20.1.2003 ISSUED BY THE SECOND RESPONDENT

EXT. P4 A TRUE COPY OF THE ORDER DATED 14.2.2003 ISSUED BY THE FIRST RESPONDENT

EXT. P5 A TRUE COPY OF THE JUDGMENT DATED 11.2.2005 IN WPC 26224/2003

EXT. P6 A TRUE COPY OF PROCEEDINGS DATED 4.5.2005 OF THE SECOND RESPONDENT

EXT. P7 A COPY OF THE JUDGMENT IN WPC 16046/2005 DATED 22.11.2006

EXT. P8 A COPY OF THE LETTER ISSUED BY THE SECOND RESPONDENT DATED 6.3.2007

EXT. P9 A COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN WPC 14135/2007 DATED 7.2.2012

EXT. P10 A COPY OF THE REPRESENTATION DATED 17.9.2012 SUBMITTED BY THE PETITIONER BEFORE THE SECOND RESPONDENT

RESPONDENT'S EXHIBITS: NIL.

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.10882 of 2014 I

Dated this the 29th day of September, 2015

JUDGMENT

The petitioner, an Accountant in the third respondent Bank, having been initially removed from service on account of certain disciplinary proceedings, eventually got reinstated and on 14.05.1996 retired from service on voluntary basis. Complaining that respondents 1 to 3 have not taken effective steps to disburse the arrears of pension, gratuity and provident fund due to her, the petitioner has filed the present writ petition.

2. In response to the submissions made by the learned counsel for the petitioner, the learned Standing Counsel for the second respondent has submitted that the second respondent will consider the petitioner's claim for revised pensionary benefits keeping in view Exhibit P9 judgment of this Court.

3. Further, the learned counsel for the third respondent Bank has submitted that the Bank has already taken steps to consider the petitioner's claim for payment of gratuity and provident fund and the Bank will expeditiously take a decision in that regard.

In the facts and circumstances, this Court disposes of the writ petition with a direction to respondents 1 to 3 to consider the claim of the petitioner for revised pension, gratuity and provident fund and pass appropriate orders thereon, as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this judgment.

Dama Seshadri Naidu, Judge

tkv