

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

WP(C).No. 14761 of 2015 (U)

PETITIONER(S):

**SYMON P.J. AGED 56 YEARS
S/O.JOSEPH, 'GOD GIFT' QUARTERS, KARUVANCHERY
NILESWARAM, KASARAGOD DISTRICT.**

BY ADV. SRI.M.V.AMARESAN

RESPONDENT(S):

**1. COMPTROLLER
KERALA AGRICULTURE UNIVERSITY, VELLANIKKARA, THRISSUR
PIN 680654.**

**2. KERALA AGRICULTURAL UNIVERSITY
REPRESENTED BY ITS REGISTRAR, PO.KERALA UNIVERSITY
VELLANIKARA, THRISSUR DISTRICT, PIN 680654.**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 14761 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: TRUE COPY OF PENSION COMMUTATION ORDER ISSUED BY KERALA AGRICULTURAL UNIVERSITY BEARING NO.PEN B1/28056/13 DATED, VELLANIKKARA, 05-11-2014 TO THE PETITIONER.

EXHIBIT-P2: TRUE COPY OF DISABILITY CERTIFICATE ISSUED TO THE PETITIONER BY KASARGOD DISTRICT DISABILITY BOARD DATED 23.07.2014.

EXHIBIT-P3: TRUE COPY OF INTERIM ORDER DATED 16.08.2012 IN W.P.(C) NO.17778/2012 PASSED BY THIS HON'BLE COURT.

EXHIBIT-P4: TRUE COPY OF JUDGMENT IN W.P.(C) 3682/2015 DATED 5.2.2015 PASSED BY THIS HON'BLE COURT.

RESPONDENT(S)' EXHIBITS

NIL.

// True copy //

PA to Judge

das

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 14761 of 2015

Dated this the 3rd day of June, 2015

JUDGMENT

The petitioner, who was a retired employee of the respondent University, is aggrieved by the non payment of the retirement benefits, such as Gratuity, Pension commutation and other monetary dues. In the writ petition, the prayer is for a direction to the respondents to sanction the retirement benefits expeditiously.

2. I have heard the learned counsel appearing for the petitioner and also the learned Standing Counsel appearing for the respondent University.

3. The learned Standing Counsel for the respondent University would submit that the respondent University has prepared a list of retirees of the University and the petitioner's name features as Sl.No.1680 in that list. It is the case of the respondents that, the delay in disbursal of the retirement benefits is only on account of paucity of funds and if sufficient period is given for disbursement of the same, the respondent will disburse the amounts due to the petitioner within that time.

On a consideration of the facts and circumstances of the case as also the submissions made across the bar, and taking note of the plea of financial hardship urged by the learned Standing Counsel for the respondent University, I dispose the writ petition with a direction to the respondent University to disburse the pensionary benefits, that are due to the petitioner, within a period of six months from the date of receipt of a copy of this judgment. I make it clear that, if the respondent University does not disburse the pensionary benefits within the time granted above, then the payment of retirement benefits to the petitioner, will carry interest at the rate of 6% per annum from the date immediately after expiry of the aforesaid period, till the date on which the payment is actually made to the petitioner.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE