

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

WP(C).No. 18125 of 2015 (M)

PETITIONER(S):

**GIRIJA K.K AGED 57 YEARS
W/O. JAYABALAN, NARAYANA SMRITHI
VENNALA PO, KOCHI - 28**

**BY ADVS.SRI.VARGHESE PREM
SMT.K.C.BEENA**

RESPONDENT(S):

- 1. KERALA WATER AUTHORITY, REPRESENTED BY
ITS MANAGING DIRECTOR, JALA BHAVAN
THIRUVANANTHAPURAM - 695 033**
- 2. ACCOUNTS OFFICER (ESTT.) FINANCE WING,
KERALA WATER AUTHORITY, JALA BHAVAN
THIRUVANANTHAPURAM -695 033**

R BY SRI.GEORGE MATHEW, SC, KERALA WATER AUTHORITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON ' 26-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 - LETTER No.KWA/AO(ESTT)/Pen/8074/com,7223, DATED 18.03.14, FORWARDING THE PENSION PAYMENT ORDER.
- EXT.P2 - THE COMMUNICATION PAYMENT ORDER No.11886, (LETTER No.KWA/AO(ESTT)/Pen/8074/3235/com.7223)
- EXT.P3 - THE LETTER DATED 03.02.2015 ISSUED BY THE PUBLIC INFORMATION OFFICER OF KERALA WATER AUTHORITY.
- EXT.P4 - REPRESENTATION MADE BY THE PETITIONER TO THE MANAGING DIRECTOR, KERALA WATER AUTHORITY, DATED 04.05.2015.
- EXT.P5 - ACKNOWLEDGMENT CARD.

RESPONDENT(S)' EXHIBITS

nil

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das

PA to Judge

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 18125 of 2015

Dated this the 26th day of June, 2015

JUDGMENT

The petitioner, who retired from the services of the respondent Water Authority on 31.03.2014, is aggrieved by the delay occasioned on the part of the respondent in disbursing the retirement benefits, that are due to him. By Ext.P2 order, the retirement benefits that are due and payable to the petitioner have already been quantified by the respondent Water Authority. It is the case of the petitioner that persons, who retired subsequently to the petitioner, have also been given their retirement benefits and hence, there is no justification for the respondent Water Authority delaying the payment of retirement benefits to the petitioner any further.

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

On a consideration of the facts and circumstances of the case and the submissions made across the bar and taking note of the submissions of the respondents, that the delay in effecting payment to the petitioner was occasioned only on account of the financial

crunch faced by the respondent Authority, I dispose the writ petition with a direction to the 1st respondent to disburse the retirement benefits, that are due and payable to the petitioner as indicated in Ext.P2 order, within a period of two months from the date of receipt of a copy of this judgment. I make it clear that if the amounts are not paid to the petitioner within the period of two months as stated above, the payment shall carry interest at the rate of 6% per annum, from the date immediately on the expiry of two months, till the date of actual disbursement to the petitioner.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE