

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYAISHTA, 1937

WP(C).NO. 19641 OF 2014 (E)

PETITIONER(S):

SIMON ELISA AGED 65 YEARS
W/O.I.T.SIMON, PULIMOOTILPARAMBU
PANAYAPPILLY KOCHI-682 002.

BY ADVS.SRI.JIMMY GEORGE (VATTATHARA)
SRI.T.JEEJAN

RESPONDENT(S):

1. CORPORATION OF KOCHI
REPRESENTED BY ITS SECRETARY
KOCHI CORPORATION ERNAKULAM-682011

2. DIRECTOR OF MUNICIPALITIES
O/O DIRECTORATE OF MUNICIPALITIES
THIRUVANANTHAPURAM-695001

3. STATE OF KERALA
REPRESENTED BY SECRETARY LOCAL SELF GOVERNMENT DEPARTMENT
SECRETARIAT, THIRUVANANTHAPURAM-695001

BY ADV. SRI.K.P.JUSTINE(KARIPAT) SC,
BY GOVERNMENT PLEADER SMT.LOWSY.A
BY SRI.P.K.SOYUZ,SC,COCHIN CORPORATION

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
04-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).NO. 19641 OF 2014 (E)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1 - TRUE COPY OF THE PENSION PAYMENT ORDER ISSUED BY THE
ACCOUNTS OFFICER CORPORATION OF COCHIN DATED 23-09-2010

EXT.P2 - TRUE COPY OF THE REPRESENTATION ISSUED BY THE PETITIONER TO
THE 1ST RESPONDENT DATED 30-06-2014

RESPONDENT(S) ' EXHIBITS:NIL

//TRUE COPY//

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.19641 of 2014

.....
Dated this the 4th day of June, 2015

J U D G M E N T

The petitioner who was working as a contingent worker under the 1st respondent Corporation retired from service on 30.04.2010. The grievance of the petitioner in the writ petition is that, although the petitioner received her pension, Death cum retirement gratuity (DCRG), commutation of pension etc, the differential amounts, consequent to the pay revision, were not paid to her. It is for the disbursement of the said amount that the petitioner has filed this writ petition seeking a direction to the respondent Corporation to pay the said amounts.

2. Counter affidavits have been filed on behalf of the 1st respondent wherein the differential amounts due to the petitioner consequent to the implementation of the pay revision benefit are not disputed. The respondent Corporation only submits that on account of paucity of funds it was not able to disburse the amounts due to the petitioner in time. It is submitted that there are various persons who have to get pensionary benefits from the Corporation and the Corporation is making a seniority list of persons who are similarly placed as the petitioner. The prayer of the Corporation is

for grant of some time to disburse the benefits to the petitioner.

2. I have heard the learned counsel for the petitioner and the learned Standing counsel for the respondent Corporation

3. On a consideration of the facts and circumstances of the case as also the submissions made across the bar, and taking into account the plea of financial hardship urged on behalf of the petitioner, I direct the respondent Corporation to sanction the balance amount due to the petitioner within a period of four months from the date of receipt of a copy of this judgment. It is made clear that, if the Corporation does not effect payment of the amounts to the petitioner as directed, then the amounts payable to the petitioner shall carry interest from the date immediately after the expiry of four months till the date of actual disbursement.

The writ petition is disposed as above.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

