

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

WP(C).No.26231 of 2014 (D)

PETITIONER:

1. **K.K.VIJAYAKUMAR,S/O.P.S.KOCHUKUTTAN,
AGED 58 YEARS,FARM SUPERINTENDENT (RETIRED),
CARDAMOM RESEARCH STATION,PAMPADUMPARA,
RESIDING AT KARIMPANAKUNNEL HOUSE,
CHITTOOR,PUTHUPARIYARAM.P.O,
THODUPUZHA,IDUKKI-685590.**
2. **C.G.PRADEEP,S/O.LATE C.E.GOPALAN,
AGED 58 YEARS,FARM MANAGER GRADE-1(RETIRED),
CARDAMOM RESEARCH STATION,
PAMPADUMPARA,RESIDING AT CHORIYAMMACKAL HOUSE,
MUNIYARA.P.O,PARATHODE,IDUKKI-685571.**

**BY ADVS.SRI.SHAJI P.CHALY
SMT.C.S.SINDHU KRISHNAH**

RESPONDENTS:

1. **STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
AGRICULTURAL DEPARTMENT,
SECRETARIAT,THIRUVANANTHAPURAM-695001.**
2. **KERALA AGRICULTURAL UNIVERSITY,
REPRESENTED BY ITS REGISTRAR,
VELLANIKKARA,THRISSUR-680656.**
3. **THE COMPTROLLER,
KERALA AGRICULTURAL UNIVERSITY,
VELLANIKKARA,THRISSUR-680656.**

**R1 BY SENIOR GOVT. PLEADER SRI.M.A.FAYEZ
R2&R3 BY SRI.BABU JOSEPH KURUVATHAZHA,SC,KERALA
AGRICULTURAL UNIVERSITY**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 13-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No.26231 of 2014 (D)

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1:TRUE COPY OF THE ORDERS SANCTIONING PENSIONARY BENEFITS TO
1ST PETITIONER DATED 20/03/2014.**

**EXT.P2:TRUE COPY OF THE ORDERS SANCTIONING PENSIONARY BENEFITS TO
2ND PETITIONER DATED 23/05/2014.**

**EXT.P3:TRUE COPY OF THE JUDGMENT IN W.P(C)NO.13277/2014
DATED 04/07/2014.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C)No.26231 of 2014

Dated this the 13th day of January, 2015

JUDGMENT

Petitioners retired from the service on 30.11.2012 and 31.10.2012 respectively from the second respondent University on attainment of the age of superannuation. The petitioners submit that they are entitled to receive the pension along with other retirement benefits like DCRG, Terminal Surrender, Family pension etc. It is submitted that though the monthly pensions have been disbursed to the petitioner, the DCRG was not paid to them. It is on account of delay involved in the DCRG, the petitioners have approached this Court.

2. The learned Standing Counsel for the University submits that the University is under severe financial constraints and was unable to pay the DCRG after retirement.

It is further submitted that they are paying monthly pension without any delay and they need atleast six months time to pay the DCRG.

Considering the facts and circumstances, the University is directed to pay the DCRG either in lump sum or instalment within four months. If the University is choosing to pay the DCRG in instalment, they shall pay the amount in four instalments starting from 1.2.2015. However, if the University is choosing to pay the money in lump sum, that shall be paid on or before 31.5.2015.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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