

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN

MONDAY, THE 21ST DAY OF JANUARY 2013/1ST MAGHA 1934

WP(C) .No. 33146 of 2011 (P)

PETITIONER(S) :

V.P.BABU, S/O.PARAMESWARAN,
ARUKUZHIIYIL HOUSE, ELAPPARA, IDUKKI DISTRICT.

BY ADV. SRI.P.BABU KUMAR

RESPONDENT(S) :

1. KERALA STATE BEVERAGES (M&M) CORPORATION
LTD., REPRESENTED BY ITS MANAGING DIRECTOR
SASTHAMANGALAM, THIRUVANANTHAPURAM - 695001.

2. THE MANAGER,
KERALA STATE BEVERAGES (M&M) CORPORATION LTD.
WAREHOUSE, THODUPUZHA - 685584.

3. K.V.BABU, BAISEN VALLEY SHOP ASSISTANT,
BAISEN VALLEY P.O., IDUKKI DISTRICT - 685565.

4. BIJUMON, UPPUTHARA SHOP-IN-CHARGE,
UPPUTHARA P.O., IDUKKI DISTRICT - 685505.

5. DISTRICT AUDIT TEAM,
KERALA STATE BEVERAGES (M&M) CORPORATION LTD.
OLAMATTOM, THODUPUZHA P.O., IDUKKI DISTRICT - 685584.

R1 & 2 BY SRI.C.S.AJITH PRAKASH, SC, BEVERAGES CORPORATION

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-01-2013 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

MNS

WP(C) .No. 33146 of 2011 (P)

JUDGMENT

NONE APPEARS FOR THE PETITIONER. THERE WAS ALSO NO REPRESENTATION ON BEHALF OF THE LEARNED COUNSEL FOR THE PETITIONER WHEN THE CASE WAS CALLED ON FOR HEARING TODAY, THOUGH IT WAS LISTED AS ITEM NO.5 IN THE ADMISSION LIST. THE WRIT PETITION IS THEREFORE DISMISSED FOR DEFAULT.

21.01.2013

SD/-
P.N.RAVINDRAN
JUDGE

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.33146 & 33196 of 2011

Dated this the 10th day of March, 2015

JUDGMENT

These writ petitions are filed by the employees of the Kerala State Beverages Corporation. They approached this Court challenging the liability imposed on them. The case of the petitioners is that no enquiry has been conducted on such liability imposed on them. Pending these writ petitions, by I.A. No.1365/2015 in W.P.(C) No.33196/2011, the petitioner produced two documents as Exts.P18 and P19. It is the case of the petitioners that in the review petition filed by the petitioners, the Manager sought the views of the Finance Manager and also the Manager, they sent remarks in support of their claim.

Essentially, in these writ petitions, the petitioners dispute the liability based upon the discrepancies in the accounts. In

view of the fact that the matter is pending consideration before the Managing Director in the review, I am of the view, these writ petitions can be disposed of leaving open all the issues raised in the writ petition and by directing the Managing Director to take an appropriate decision after adverting to Exts.P18 and P19 produced along with I.A.No.1365/2015 in W.P.(C) No.33196/2011 within a period of six weeks after affording an opportunity of hearing to the petitioners. It is made clear that till a decision is taken in this matter, no recovery proceedings shall be initiated against the petitioners.

These writ petitions are disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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