

THE HON'BLE SRI JUSTICE S.V. BHATT

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WRIT PETITION No.13940 of 2009
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ORDER:

Petitioner prays for Mandamus directing respondents to pay his salary from 01.08.2004 to 31.03.2005 at Rs.10,690/- per month with interest @ 24% per annum from the date of due till the date of payment.

2. Mr. Y. Venkateswara Rao, appearing for writ petitioner, submits that respondent bank is not denying entitlement of petitioner but it has taken a plea that unless and until the same is approved by the Registrar, the amount cannot be paid. Learned counsel further states that interim order dated 05.10.2009 is not given full effect but a small sum of Rs.6,000/- is paid to the petitioner.

3. Smt. Bobba Vijayalakshmi, appearing for the bank, submits that the fourth respondent bank now enjoys the autonomy, as provided by Section 115-D of the A.P. Cooperative Societies Act, 1964 (for short 'the Act') and it is for the bank to take note of all relevant details and determine the amount payable to petitioner. Learned counsel fairly submits that to the extent of legitimate entitlement of petitioner, if little time is granted, the fourth respondent would work out the details and pay the amount to which the petitioner is entitled to within a reasonable time. In furtherance of her submission that by virtue of Section 115(D) of the Act the Cooperative Credit Societies can take decision, she draws the attention of the Court to proceedings Rc.No.8350/2014-Cr1 dated 11.12.2015 issued by the Registrar.

4. Learned Assistant Government Pleader submits that now it is an internal affair between the petitioner and the fourth respondent bank.

5. I have perused the material available on record and noted the

submissions of the learned counsel appearing for the parties.

Having regard to the submissions of standing counsel appearing for the fourth respondent, I am satisfied the writ petition can be disposed of by this order.

6. The fourth respondent is directed to determine and pay the amount to which the petitioner is entitled to for the period 01.08.2004 to 31.03.2005, after deducting the amount, if any, paid to petitioner on account of the interim order of this Court, in accordance with Section 115-D(2)(iv) of the Act within four (4) weeks from the date of receipt of a copy of this order.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

S.V. BHATT, J

July 8, 2016
DSK