

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.19550 of 2016

ORDER

This writ petition was filed seeking a direction to the respondents to release Gratuity, encashment of earned leave and retiral benefits to the petitioner.

The petitioner was appointed as Paid Secretary on 1.2.1979 in Addapu Sila Primary Agricultural Co-operative Societies at Parvathipuram Mandal, Vizianagaram District. Thereafter, he was transferred to another society. After working there for three months, again he was transferred to another society and he worked in various societies. While working in the second respondent society, he was promoted as Special Category Bank Employee in DCC Bank, Vizianagaram, *vide* proceedings dated 28.2.2009. He attained superannuation on 30.06.2009. Even after his retirement in the year 2009, his retirement benefits like Gratuity, Encashment of Earned Leave and Arrears of salary from the 2nd respondent-Society, were not released. Hence, he submitted a representation to the 2nd respondent. Pursuant to the same, the 2nd respondent passed a resolution dated 14.8.2014

expressing its willingness to pay Gratuity and Encashment of Earned Leave amounts, but the same have not been paid. In those circumstances, he submitted a representation dated 15.3.2016, but so far no orders have been passed thereon. Hence, the present writ petition was filed.

This Court ordered Notice Before Admission on 20.06.2016 and posted the matter after eight weeks. Even after eight weeks, no counter-affidavit is filed.

In view of the averments made as above and in view of the nature of the relief sought for in the Writ Petition, this Court is not inclined to keep the writ petition pending. Therefore, the writ petition is disposed of with a direction to the second respondent to consider the representation dated 15.3.2016 submitted by the petitioner in accordance with law and pay necessary amount, if the petitioner is entitled to the same, within a period of three weeks from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

16th August, 2016

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Note: Issue CC by one week.