

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.8230 OF 2001

ORDER:

1. This writ petition is filed seeking a Writ of Mandamus declaring the action of the respondents in not settling the terminal benefits including the pension, gratuity, Provident Fund etc., of the petitioner, as arbitrary, illegal, and for a consequential direction to the respondents to pay terminal benefits to the petitioner.
2. Heard Sri C.Ramachandra Reddy, learned counsel for the petitioner and Sri E.Madan Mohan Rao, learned Standing Counsel for State Bank of India.
3. It is the case of the petitioner that he was appointed as an Armed Guard-cum-Messenger under the respondents in the year 1975 and he has worked as such upto 1996, that during December, 1996, because of ill health, he had to undergo a surgery on his right shoulder and thereafter he could not report to duty, that on 9.3.1998, the 1st respondent issued proceedings stating that it is deemed that the petitioner had voluntarily retired from service with effect from 12.11.1996.
4. The respondents have filed counter affidavit stating that the bank had addressed a letter on 18.6.1999 to the petitioner for settlement of terminal benefits and the petitioner had also submitted relevant papers on 3.8.1999 and the respondent bank is willing to settle the terminal benefits.
5. It is reported by the learned counsel for the petitioner that the petitioner had expired about three years back.
6. In view of the statement made by the respondents in their counter affidavit that they are willing to settle the terminal benefits, this Court permits the family members of the petitioner to approach the respondents

for claiming terminal benefits which are due to the petitioner and the respondents are directed to pay the same within a period of two months thereafter, if not already paid. Further, it is left open to the family members of the deceased petitioner to agitate for the other benefits due to the deceased petitioner in accordance with law.

Writ Petition is disposed of accordingly.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI ,J

Date:23.11.2017

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