

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 23683 of 2005

ORDER:

The case of the 1st petitioner is that he joined service in the District Cooperative Central Bank Limited, Nalgonda in the year 1976 as Supervisor and rendered his services to the respondent bank and retired from service on 30.09.2005. It is stated that on 02.06.2005 the respondent visited the Ramannapet branch of the aforesaid bank where the petitioner was working and suspended the petitioner from service basing on an anonymous complaint alleging that the petitioner has not remitted a sum of Rs.8,000/- with respect to a loan. Thereafter, the petitioner was asked not to attend the work till enquiry is completed. But, till today neither any order has been passed placing the petitioner under suspension nor any notice was issued initiating disciplinary enquiry against the petitioner. Thereafter, the petitioner made a representation dated 20.06.2005 to the respondent requesting either to reinstate him into service or to accept his resignation from 1st July onwards and to deduct any deficiency due to the bank from his retirement benefits. In spite of the said representation, the respondent bank neither passed any order nor paid any retirement benefits to the petitioner. Aggrieved by the inaction of the respondent in not paying retirement benefits, present writ petition is filed.

Heard learned counsel for the petitioner who submits that pending writ petition 1st petitioner was died and legal representatives of the 1st petitioner were brought on record as petitioners 2 to 4. He further submits that after filing of this writ petition this Court granted interim order on 04.03.2010 in WP.MP.No.30135 of 2009 for payment of gratuity; that since the said order has not been complied by the respondent, the petitioner filed Contempt Case No.677 of 2010 and that thereafter the respondent bank paid an amount of Rs.2,80,840/- towards gratuity, but, leave encashment and other retirement benefits were not paid to the petitioner. He also submits that the petitioner made another representation dated 28.01.2011 to the respondent bank requesting to pay the interest for delayed payment of gratuity amount and also submitted another representation dated 10.07.2013 to the respondent to clear the pending dues, but, no action has been taken by the respondent till today. Learned counsel further submits that the petitioner made one more representation on 24.02.2014 for payment of retirement benefits and that the writ petition can be disposed of with a direction to dispose of the representation of the petitioner.

On the other hand learned Standing Counsel for the respondent submits that WP.MP.No.38129 of 2011 filed by the petitioner, seeking for payment of interest on gratuity amount and for a direction to pay the retirement benefits, was dismissed

and that the respondent bank also sent instructions stating that the petitioner is not entitled for any amount.

Finally, both the counsel requested to dispose of the writ petition with a direction to the respondent to dispose of the representation dated 24.02.2014 submitted by the petitioner as per Rules in force.

In view of the aforesaid facts and circumstances, without going into the merits of the case, the writ petition is disposed of directing the respondent to dispose of the representation dated 24.02.2014 submitted by the petitioner, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

01.06.2017
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