

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.2574 of 2009

ORDER:

Heard the learned Counsel for the petitioner and the learned Counsel for the respondent.

This Writ Petition was filed challenging the proceedings of the respondent dated 20.10.2005, 23.11.2005, 26.12.2005, 15.05.2006 and 19.09.2006, and a reading of the said proceedings shows that though the petitioner, who was working as part-time Assistant, was supposed to retire from service on 08.09.2004, he continued in the post till 20.10.2005. Hence, he was asked to remit an amount of Rs.21,965/- to the Government.

It is the case of the petitioner that he attended to duties after 08.09.2004 till 20.10.2005 and the respondent did not settle his retirement benefits, but demanded payment of the amount for the period he worked.

No counter affidavit is filed by the respondent disputing the claim of the petitioner with regard to his continuing in work after 08.09.2004 till 20.10.2005, and if the petitioner had worked during that period, though unauthorizedly, he is entitled for the remuneration for the period he worked.

In the circumstances, this Court feels that the demand of remittance of Rs.21,965/- is not warranted and the retiral

benefits, if any, entitled by the petitioner shall be settled and paid within a period of one month from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, allowed. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

05.07.2017

vs

