

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. No.24965 of 2002ORDER:

This writ petition is filed seeking a writ of mandamus, declaring the action of the respondents in not delivering the financial packages, along with notice pay and ex-gratia, to the petitioners, as per the terms of phase-IV of the Voluntary Retirement Scheme, as arbitrary, illegal, and consequently direct the respondents to either deliver the financial package along with the notice pay and ex-gratia, gratuity and revised dearness allowance, along with interest @ 18% per annum, or in the alternative, direct the respondents to reinstate the petitioners into service in their respective posts, by paying their back wages with effect from 31.07.2002.

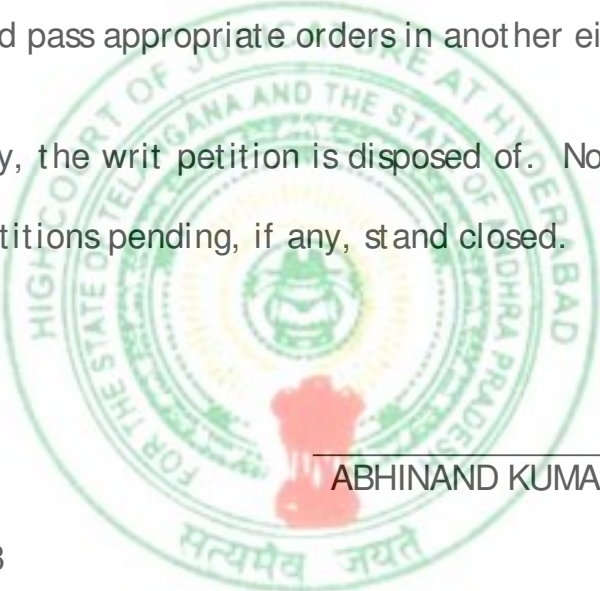
2. Heard Sri N.Praveen Reddy, *amicus curie* and the Standing Counsel for the respondents.

3. It has been contended by the petitioners that they were employed by the Respondent-Corporation and they have rendered 15 to 26 years of service. While they were discharging their duties, Government has issued G.O.Ms.No. 16, dated 22.03.2001, offering voluntary retirement. In pursuance of the said voluntary retirement scheme, the petitioners have applied for voluntary retirement, and their applications were accepted and they were relieved from their duties with effect from 31.07.2002. The grievance of the petitioners is that though their applications have been accepted for voluntary retirement, the financial benefits have not been paid to them in terms of the voluntary retirement scheme.

4. The Standing Counsel for the respondent-Corporation had contended that the benefits under the voluntary retirement scheme were paid to the petitioners and no further payments are due, and the writ petition is devoid of merits and liable to be dismissed.

5. This Court, having considered the submissions made by both the parties, is of the considered view that the writ petition can be disposed of, directing the petitioners to submit a representation to the respondents for extending the benefits of voluntary retirement scheme, within a period of two weeks from the date of receipt of a copy of this order, and upon such a representation being received, the respondents shall consider and pass appropriate orders in another eight weeks.

6. Accordingly, the writ petition is disposed of. No order as to costs. Miscellaneous petitions pending, if any, stand closed.



ABHINAND KUMAR SHAVILI, J

Date: 31.10.2018
DMG