

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 8877 of 2015

ORDER:

This writ petition is filed seeking a writ of mandamus to declare the action on the part of respondent in not paying full retirement benefits and in retaining certain amounts, as illegal and arbitrary. A consequential direction is also sought to the respondent to pay an amount of Rs.1,58,920/- to the petitioner with interest from 30.06.2003 along with a sum of Rs.1,00,000/- retained by the Bank in the form of fixed deposits with interest.

2. Heard Sri R.V. Nagabhushana Rao, learned counsel for the petitioner, and Sri S. Dushyanth Reddy, learned counsel for the respondent bank.

3. It is contended by the petitioner that he had retired from service as an Assistant Manager in the respondent bank on 30.06.2013. As the respondent bank did not pay the retirement benefits on the date of retirement, he made several representations. After one year i.e., on 28.06.2014 the respondent bank had deposited a sum of Rs.3,94,320/- into his account as retirement benefits, out of which, the bank itself had created two fixed deposits of Rs.50,000/- and retained the amount with them. As the retirement benefits were not calculated including his last two increments and as the interest was also not paid, the petitioner had submitted representations on 15.02.2014, 15.07.2014, 13.08.2014, 18.10.2014, 10.01.2015 and 20.02.2015 seeking payment

of a sum of Rs.1,58,920/-, but so far, no action is taken by the respondent bank. Challenging the same, he filed the present writ petition.

4. The respondent bank did not file any counter even after lapse of three years from the date of filing of the writ petition.

5. Since the petitioner is a retired employee and the representations submitted by him are still pending consideration and the respondent bank has not passed any orders on those representations and the respondent bank did not file any counter, ends of justice would be met, if the writ petition is disposed of with a direction to the respondent bank to consider the representations of the petitioner.

6. Accordingly, the writ petition is disposed of, directing the respondent bank to consider the representations of the petitioner and release the balance retirement benefits, if the petitioner is entitled to, within a period of eight (8) weeks from the date of receipt of a copy of this order.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand closed. There shall be no order as to costs.

ABHINAND KUMAR SHAVILI, J

25th April, 2018

Note: Issue C.C. in two days.

(b/o)
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(disposed of)

25th April, 2018

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