

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.7255 of 2002

ORDER:

This writ petition is filed seeking Mandamus declaring the action of the respondents in not paying compensation payable to the petitioner under Voluntary Separation Scheme together with terminal benefits as arbitrary, illegal and consequently direct the respondents to credit the said amount to his savings bank account maintained with Bank of Baroda, Arikirevula Branch, West Godavari District.

2. Heard Sri N. Subba Rao, learned counsel for the petitioner and Sri K. Lakshman, Asst. Solicitor General for the respondents.

3. Petitioner was employed with the 2nd respondent-organization and as it ran into losses, Voluntary Separation Scheme was introduced and in pursuance of the said Scheme, he has applied on 20.02.2002. The same was accepted by the management of the 2nd respondent, vide orders dated 28.02.2002, but, instead of paying amount to him, the same was deposited in the Court of Junior Civil Judge, Kovvur, in pursuance of the order of the competent civil court in I.A.No.26 of 2002 in O.S.No.5 of 2002. There were some disputes between the petitioner and his wife and the said suit was filed by his wife against him seeking maintenance. The amounts which were to be received by the petitioner in the said Scheme have been deposited in the aforesaid suit filed by the petitioner's wife, as aforesaid.

4. This Court, having considered the rival submission of the parties, is of the considered view that respondents have rightly

deposited the amount in pursuance of the orders of the competent civil Court and there is no infirmity in the action of the respondents.

5. Writ petition is devoid of merits and is accordingly dismissed.

No order as to costs.

As a sequel, miscellaneous petitions, if any pending, shall stand closed.

ABHINAND KUMAR SHAVILI, J

July 26, 2018
MRR

