

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

Writ Petition No.7612 of 2003

ORDER: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

The relief sought for in this writ petition is to call for the order dated 09.04.2003 passed by the Council for Social Development, New Delhi, and to declare Rule III-E of the Service Rules, in so far as it enables termination of a core employee, by giving him 3 months notice or salary in lieu thereof, without assigning any reasons, as *non est* in law, and to consequently set aside the order dated 09.04.2003 as being illegal, arbitrary and violative of Article 21 of the Constitution of India.

By proceedings dated 09.04.2003, the Director of the Council for Social Development passed an order, on behalf of the Executive Committee, informing the petitioner that his services were no longer required with effect from 10.04.2003 (afternoon) and Cheque No.179623 dated 10.04.2003 for Rs.97,468/- equivalent to three months salary in lieu of notice, and salary for the period April to October, 2003, was enclosed.

After putting forth elaborate submissions, and during the course of hearing, Sri V.Raghu, learned counsel for the 2nd respondent, informed this Court that the respondents were ready and willing to pay a reasonable amount to settle the issue once for all. Learned Counsel stated that the respondents were willing to pay Rs.5,00,000/- to the petitioner in full and final settlement of all his claims against them. Hearing of the writ petition was deferred, to enable the learned counsel for the petitioner to obtain

instructions as to whether the petitioner was agreeable to receive the said amount in full and final settlement of all his claims.

Today Sri K.Durga Prasad, learned counsel for the petitioner, would submit that, in addition to Rs.5,00,000/- offered by the respondents, the petitioner is ready to have all his claims in this Writ Petition finally settled, if the respondents are willing to enhance the amount offered by them of Rs.5,00,000/-, by one more lakh, to Rs.6,00,000/-.

Sri V.Raghu, learned counsel for the 2nd respondent, on instructions, states that the respondents are willing to pay this amount of Rs.6,00,000/- within four weeks.

As both the parties are in agreement that the petitioner would, in full and final settlement of all his claims from the respondents, receive Rs.6,00,000/-, we consider it appropriate to dispose of the Writ Petition recording the compromise arrived at between the parties. The respondents are directed to pay the petitioner Rs.6,00,000/-, by way of an A/c Payee cheque, within one month from today.

Miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(M.GANGA RAO, J)

20th April, 2018

Note: Issue C.C by 23.04.2018.

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Date: 20.04.2018

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