

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.11900 OF 2003

ORDER

This writ petition is filed seeking the following relief:

“....to issue such appropriate writ, direction or order to the respondents more so particularly one in the nature of Mandamus directing the respondents to continue to pay the Extra Incentive Bonus/Rural Credit to the petitioners as was earlier paying ignoring the alleged clarification given by the 1st respondent basing on auditors report after declaring the action of the 2nd respondent in issuing the impugned letters dt.24.4.2003 to the petitioners demanding for refund of Extra Incentive Bonus paid for 2001-2002 basing on the clarification alleged to have been given by the 1st respondent as arbitrary, illegal, without jurisdiction apart from violation of principles of natural justice and as such are liable to be set aside and pass such other order as the Hon'ble Court may deem just under the circumstances of the case.”

Heard Sri Hari Sreedhar, learned counsel appearing for the petitioners and Sri B.Krishna Mohan, learned Standing Counsel appearing for the respondent-Corporation.

Learned counsel appearing for the petitioners submits that since the petitioners are working in the rural area, they are entitled for Extra Incentive Bonus/Rural Credit; that the respondents have paid the said incentive; that the respondents have issued the proceedings dated 24.4.2003, wherein a decision was taken to withdraw 10% Extra Incentive Bonus and to recover the amount which was already paid; that though the Head Office *vide* proceedings dated 17.3.1998 has clarified that the petitioners are

entitled for 10% Extra Incentive Bonus, the respondents are not extending the said benefit.

Learned Standing Counsel appearing for the respondents submits that the petitioners are not entitled for 10% Extra Incentive Bonus; that on noticing that the place where the petitioners are working does not come within the zone of rural areas, the respondents have stopped 10% Extra Incentive Bonus; and that no illegality has been committed by the respondents in issuing the impugned proceedings.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that ends of justice would be met if a direction is given to the petitioners to submit a representation afresh.

Accordingly, the Writ Petition is disposed of directing the petitioners to submit a representation afresh within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents shall consider the same and decide as to whether the petitioners are entitled for 10% Extra Incentive Bonus and pass appropriate orders within a period of four weeks thereafter, in accordance with rules. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

8th November, 2018
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