

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.12681 OF 2002

ORDER:

1. This writ petition is filed seeking to issue a writ of Mandamus declaring the action of the respondents in not refunding the amounts contributed towards Oil and Natural Gas Corporation Self Contributory Post Retirement and Death in Service Benefit Scheme known as PRBS, as illegal and arbitrary, and consequently, to direct the respondents to refund the amounts contributed towards PRBS to the petitioners with interest.

2. Heard Sri B. Bhaskara Rao, learned Counsel for the petitioners and Sri K. Venkata Rao, learned Standing Counsel for ONGC.

3. When this matter was taken up, it was reported by the learned Standing Counsel for ONGC that similar issue fell for consideration before the Madras High Court in W.P.No.18300 to 18311 of 1998 filed by various employees of ONGC, and the said W.Ps were allowed, and aggrieved by the same, ONGC preferred WA Nos.2771 and 2772 of 2004 and the Hon'ble Division Bench of Madras High Court was pleased to allow WAs on 26.9.2007 and aggrieved by the same, the employees of ONGC filed Special Leave to Appeal (C) Nos.4974-4985/2008 and when the said matters

were listed before the Hon'ble Supreme Court on 16.1.2015, the employees submitted before the Hon'ble Supreme Court that these petitions have become infructuous with the passage of time and may be dismissed as such. Accordingly, the above said petitions preferred by the employees of ONGC before the Hon'ble Supreme Court were dismissed as infructuous.

4. Since the issue raised in this writ petition is also identical to the issue raised in WA No.2771 and 2772 of 2004 dated 26.9.2007, which were decided on 26.9.2007, the cause in this writ petition does not survive.

5. Accordingly, the Writ Petition is dismissed as infructuous. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

(ABHINAND KUMAR SHAVILI, J)

Dated: 13th August, 2018

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Dated: 13.8.2018

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