

HON' BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.18371 of 2001

ORDER:

This writ petition is filed to issue a writ, order or direction declaring the telex order dated 23.02.2001 of the 2nd respondent accepting the voluntary retirement and the consequential order No.15/2001 issued by the 4th respondent and order dated 12.06.2001 passed and communicated by the Personnel Manager, as wholly arbitrary, illegal and consequently and to direct the respondents to continue the petitioner in service w.e.f. 26.02.2001 with all consequential benefits.

2. It is stated in the affidavit filed in support of the writ petition that the petitioner joined in the 1st respondent-State Trading Corporation of India Ltd., during the year 1982. The 1st respondent introduced voluntarily retirement scheme w.e.f. 01.02.2001 for all regular employees. Under that scheme, the employees, who have not opted for the same were transferred to far off places and no time limit is prescribed for withdrawing the option. Hence, the petitioner opted for the said scheme. The competent authority, by order, dated 23.02.2001, accepted the voluntary retirement of the petitioner and the same was circulated by the Branch manager by office order No.15/2001, dated 23.02.2001 stating that the petitioner would retire from service and ceases to be on the rolls of the corporation w.e.f. 26.02.2001. After receipt of the said order, the petitioner

addressed a letter dated 24.05.2001 to the Chairman and Managing Director of the Corporation stating that he is withdrawing his option of voluntary retirement and the Personnel Manger of the Corporation sent a reply dated 12.06.2001 stating that his representation was placed before the competent authority, who declined to consider his request and the same was communicated to the petitioner. Questioning the same, this writ petition is filed.

3. None appeared for the respondents and no counter filed.
4. The writ petition is filed on 18.08.2001 and no interim order was granted. As on the date of filing of the writ petition, the petitioner was aged about 43 years. Therefore, as of now he would have crossed the age of superannuation.
5. In view of the above, this Court finds that no cause survives for adjudication in the writ petition.
6. Accordingly, the Writ Petition is dismissed as infructuous.
7. Consequently, miscellaneous petitions, if any shall stand closed. No order as to costs.

JUSTICE M. GANGA RAO

Date: 18.06.2018
pab