

HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. Nos. 5712 and 2558 of 2002

COMMON ORDER:-

Inasmuch as the issue involved in these two writ petitions is one and the same, these matters are taken up together for disposal by this Common Order.

These writ petitions are filed seeking to issue a writ of Mandamus declaring the action of the respondents in deducting the amounts from the salaries of the petitioners towards contributions to the 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 not to deduct any amount and to refund the amounts already deducted towards contributions for PRB Scheme from the salaries of the petitioners with interest.

Heard Sri G. Vasantha Rayudu, learned counsel for the petitioners, Sri J. Sudheer, learned Standing Counsel for O.N.G.C. for respondent Nos.1 to 4 and Sri Y.Ravindra, learned counsel for the 5th respondent and perused the material placed on record.

When these matters are taken up for hearing, it is reported by the learned Standing Counsel for O.N.G.C. that similar issue fell for consideration before the Madras High Court in W.P.Nos. 18300 to 18311 of 1998 filed by various

employees of O.N.G.C., and those W.Ps. were allowed, and being aggrieved by the same, O.N.G.C. preferred W.A.Nos. 2771 and 2772 of 2004, and the Hon'ble Division Bench of Madras High Court allowed W.As. on 26.09.2007. Challenging the same, the employees of O.N.G.C. filed Special Leave to Appeal (C) Nos.4974-4985/ 2008, and when the said matters were listed before the Hon'ble Supreme Court on 16.01.2015, 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 O.N.G.C. before the Hon'ble Supreme Court, were dismissed as infructuous.

Since the issue raised in the present writ petitions is also identical to the issue raised in W.A.Nos.2771 and 2772 of 2004, dated 26.09.2007, which were decided on 26.09.2007, the cause in these writ petitions does not survive.

Accordingly, the writ petitions are dismissed as infructuous. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

ABHINAND KUMAR SHAVILI, J

26-07-2018

bcj