

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.16726 of 2005

ORDER:

This Writ Petition is filed seeking the following relief:

“to issue an order or direction more particularly one in the nature of Mandamus declaring the action of respondents in directing the petitioner to opt for CPF at a belated stage i.e.3 years after his retirement as illegal and arbitrary and consequently direct the respondents to release the pension/DCRG etc., under the pension-cum- GPF scheme w.e. from 31.1.2002.”

When the matter is taken up for hearing, it is submitted by the learned counsel for the respondents that this writ petition is filed by the deceased petitioner seeking pension/DCRG etc., and if an application form in the prescribed pro-forma is submitted by the legal representatives of the deceased petitioner, the same will be considered and service benefits of the deceased petitioner would be released in favour of his legal representatives.

Learned counsel appearing for the petitioners contended that the deceased petitioner had exercised his option to receive contributory provident fund and pensionary benefits.

Accordingly, this Writ Petition is disposed of directing the legal representatives of the deceased petitioner to submit an application to the respondents in the prescribed pro-forma within four weeks from the date of receipt of a copy of this order and the respondents are directed to release the service benefits of the deceased

petitioner to the legal representatives of the deceased employee within a period of eight weeks thereafter. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 17/09/2018
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