

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 10873 of 2004

ORDER:

This writ petition is filed seeking to issue a writ of mandamus declaring the action of the respondents in removing the petitioner from service vide proceedings dated 26.02.2001 and the order of appellate authority insofar it went against the petitioner in denying his 20 years past service vide proceedings dated 18.02.2002, as illegal and arbitrary.

When the matter is taken up for hearing, it is brought to the notice of the Court by the learned counsel for the petitioner that the petitioner has attained the age of superannuation during pendency of the writ petition.

Learned counsel for the petitioner mainly contends that the service benefits of the petitioner prior to his removal from service may be paid to him.

Having considered the submissions made by the learned counsel for the parties and perused the record, I am of the view that the relief of reinstatement sought by the petitioner at this point of time cannot be granted, as he has attained the age of superannuation, however, he is entitled for the benefits for the service rendered by him prior to his removal from service. Accordingly, the writ petition is disposed of directing the respondents to pay the service benefits of the

petitioner for the service rendered by him prior to his removal from service, if not already paid, in accordance with the Regulations, within a period of four (4) weeks from the date of receipt of a copy of this order.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

30th November, 2018
cbs



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Writ Petition No. 10873 of 2004
(disposed of)

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