

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.19057 OF 2003

ORDER:

When the matter is taken up for hearing, counsel for the petitioner has contended that the present writ petition is filed challenging the action of the respondents in recovering an amount of Rs.43,561/- from the terminal benefits of the petitioner. Counsel for the petitioner further contended that without there being any authority, the respondents have illegally deducted the said amount from the terminal benefits of the petitioner and, therefore, contended that appropriate orders be passed in the writ petition directing the respondents to refund the amount which was already deducted from the petitioner's terminal benefits.

Counsel appearing for the respondents had contended that counter affidavit on behalf of the 1st respondent is filed contending that an amount of Rs.43,561/- was due by the petitioner to the Union, therefore, the same was recovered from his terminal benefits and the petitioner was also aware about the said deductions from his terminal benefits. It is also stated that since the petitioner has not paid the amount to the Union, the respondents had no other option except to deduct the amount from the terminal benefits of the petitioner. There are no merits and the writ petition is liable to be dismissed.

This Court, having considered the rival submissions of learned counsel for respective parties, is of the considered view that the respondents have filed the counter justifying their action in recovering

the amount of Rs.43,561/- from the terminal benefits of the petitioner.

As the petitioner was liable to pay certain amount to the Union, the respondents have deducted the amount from the terminal benefits of the petitioner and paid the same to the Union to which the petitioner was liable to pay. Therefore, this Court is not inclined to interfere with the matter and the writ petition is devoid of merits.

Accordingly, the writ petition is dismissed. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

12th December, 2019
v v

ABHINAND KUMAR SHAVILI, J

