IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

FRIDAY, THE 18TH DAY OF DECEMBER 2020 / 27TH AGRAHAYANA, 1942

WP(C).No.28652 OF 2017(F)

PETITIONER:

K.UNNIKRISHNAN
GENERAL SECRETARY,
INSTRUMENTATION EMPLOYEES UNION (INTUC),
PALAKKAD WEST, PALAKKAD.

BY ADVS.
SRI.P.N.MOHANAN
SRI.C.P.SABARI

RESPONDENTS:

1 **THE UNIT HEAD,**
INSTRUMENTATION LTD.,KANJIKODE WEST,
PALAKKAD- 678 623.

2 **THE CHAIRMAN CUM MANAGING DIRECTOR**
INSTRUMENTATION LTD. KOTA, RAJASTHAN- 324 005

3 **DEPARTMENT OF HEAVY INDISTRIES**
REPRESENTED BY SECRETARY/ JOINT SECRETARY,
MINISTRY OF HI & PE, UDOG BHAVAN,
NEW DELHI- 110 011.

R1 BY ADV. SMT.BINI SARAMMA
R1 BY ADV. SRI.V.KRISHNA MENON
R1 BY ADV. SRI.E.K.MADHAVAN
R1 BY ADV. SMT.P.VIJAYAMMA
R3 BY SMT.O.M.SHALINA, CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18.12.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Heard the learned counsel appearing on both sides.

This writ petition will also be governed by the common judgment dated 16.12.2020 in O.P.(LC).No.25/2017 and connected cases.

Sd/-

ANU SIVARAMAN

JUDGE

NP

APPENDIX OF WP(C) 28652/2017

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	A TRUE COPY OF THE VRS SCHEME APPROVED BY THE SECOND RESPONDENT DATED 19.12.2016
EXHIBIT P2	A TRUE COPY OF THE PAY REVISION ORDER OF THE YEAR 1992
EXHIBIT P3	A TRUE COPY OF THE PAY REVISION ORDR OF THE YEAR 1997.
EXHIBIT P4	A TRUE COPY OF THE AWARD DATED 7.10.2016 OF THE TRIBUNAL
EXHIBIT P5	A TRUE COPY OF THE MODIFIED DRAFT REHABILITAION SCHEME OF THE BIFR
EXHIBIT P6	A TRUE COPY OF THE ORDER DATED 23.2.2009 OF THE DIRECTOR
EXHIBIT P7	A TRUE COPY OF THE JUDGMENT DATED 2.1.2014 IN WA NO.401/98
EXHIBIT P8	A TRUE COPY OF THE JUDGMENT IN SLP NO.11892/2014
EXHIBIT P9	A TRUE COPY OF THE JUDGMENT IN REVEIW PETITION NO.2031/2014
EXHIBIT P10	A TRUE COPY OF THE JUDGMENT DATED 7.4.2017 IN WPC NO.34151/2016
EXHIBIT P11	A TRUE COPY OF THE INTERIM ORDER DATED 9.3.2017 WPC NO.8036/2017

RESPONDENT'S/S EXHIBITS:

ANNEXURE-A	COPY OF THE ORDER DATED 30.10.2017 IN R.P.NO.627/2017 IN W.P(C) NO.34151/2016
ANNEXURE-B	COPY OF THE ORDER DATED 20.11.2017 IN W.P(C) NO.34151/2016 IN RESPECT OF STATEMENT FURNISHING THE DETAILS REGARDING PAYMENTS MADE AND THE AMOUNTS WHICH ARE NOT ADMITTED

ANNEXURE-C	**COPY OF THE ORDER NO.5(11)/99-PE-VIII DATED 28.2.2000 ISSUED BY THE DEPARTMENT OF HEAVY INDUSTRY, GOVT. OF INDIA**
ANNEXURE-D	**COPY OF ANNEXURE-I (MDRS) TO THE ORDER DATED 25.2.2020 PASSED BY THE BIFR**
ANNEXURE-E	**COPY OF OFFICE ORDER NO.5(1)/2016-PE-VIII DATED 8.12.2016 ISSUED BY THE DHI, GOVT. OF INDIA CONVEYING THE DECISION OF THE UNION CABINET OF THE CENTRAL GOVT. TAKEN ON 30.11.2016**
ANNEXURE-F	**COPY OF THE CHART SHOWING DETAILS OF ADMITTED AND NOT ADMITTED PAYMENTS**
ANNEXURE-G	**TRUE COPY OF THE OFFICE MEMORANDUM DATED 25.6.1999**
ANNEXURE-H	**TRUE COPY OF THE OFFICE MEMORANDUM DATED 11.2.2004**
ANNEXURE-I	**TRUE COPY OF THE OFFICE MEMORANDUM DATED 9.11.2006**
ANNEXURE-J	**TRUE COPY OF THE LETTER DATED 23.2.2009**
ANNEXURE-K	**TRUE COPY OF THE ORDER/PROCEEDINGS DATED 25.2.2020 ALONGWITH MDRS (WITHOUT ANNEXURES)**