

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.28631 of 2009

Date: 10.02.2020

Between :

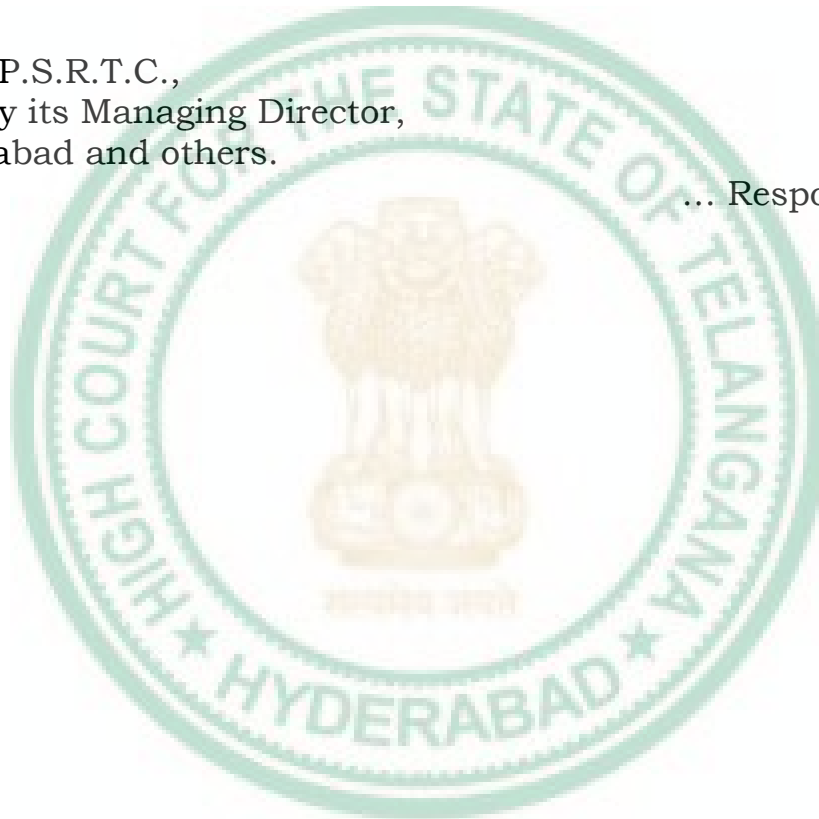
Md. Rahamathulla

... Petitioner

AND

The A.P.S.R.T.C.,
Rep. by its Managing Director,
Hyderabad and others.

... Respondents



The Court made the following :

HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.28631 of 2009****ORDER:**

The petitioner retired from service on attaining the age of superannuation on 31.08.2009. While in service, petitioner was removed from service with effect from 06.01.1987. He raised an Industrial Dispute in I.D.No.215 of 1989 before the Labour Court, Godavarikhani. As per the Award dt.19.08.1989 in I.D.No.215 of 1989 passed by the Labour Court, he was reinstated into service with effect from 22.12.1989 and continued in service till he attained the age of superannuation. The respondent Corporation filed W.P.No.11408 of 1990 challenging the Award dt.19.08.1989 passed by the Labour Court in I.D.No.215 of 1989. Though the said writ petition was dismissed and the petitioner retired from service, the retirement benefits payable to the petitioner were not paid. Hence this writ petition.

2. According to the averments in the counter affidavit filed by the respondent Corporation, the respondents do not dispute the factum of retirement of the petitioner and the delay of about 6 ½ months in payment of the amounts due to the petitioner, but tried to defend their action stating that they were under the impression that W.P.No.11408 of 1990

filed against the Award passed by the Labour Court was pending. Having realized that the said writ petition was dismissed, the amounts due were paid to the petitioner on 20.03.2010.

3. Since the writ petition was filed claiming the amounts payable to him and during the pendency of the writ petition, the said amounts were paid, the petitioner filed WPMP.No.24533 of 2010 to direct the respondents to pay Rs.7,000/- towards simple interest on an amount of Rs.1,26,662/- due to him along with costs of Rs.14,000/-.

4. Thus, from the facts mentioned above, it is seen that for no fault of the petitioner, there was a delay in payment of the amounts due to the petitioner.

5. Therefore, this writ petition is disposed of directing the respondents to pay an amount of Rs.10,000/- (Rupees ten thousand only) as cumulative amount for delayed payment of the amounts due to petitioner. The amount shall be paid within six (6) weeks from the date of receipt of a copy of this order. No order as to costs.

6. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE P. NAVEEN RAO

10.02.2020.
Msr

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