



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2021

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Cont.P.No.1725 of 2017

S.Gunasekar
635, Rani Ammayar Street,
Periyar Nagar, Chennai-39.

...Petitioner

Vs

1. R.Narasimhan,
The Regional Manager-RBO-I,
State Bank of India,
86, Rajaji salai,
Chennai 600 001

2. G.Inbarasu,
Chief Manager,
State Bank of India,
Chennai Branch, No.115, Prakasam Road,
Oriental Insurance Building,
Chennai 600 108.

...Respondents

PRAYER: Contempt Petition filed under Section 11 of Contempt of Courts Act, praying to punish the respondents for contempt of the orders of this Hon'ble Court made in W.P.No.26780/2016 dated 20.09.2016.

For Petitioner : Mr.K.Shahul Hameed

For Respondents : Mr.C.Mohan
for M/S.King & Partridge



WEB COPY

ORDER

This Court while passing final order in W.P.No.26780 of 2016 dated 20.09.2016 had directed the respondents to take a lenient view and discharge the petitioner from service with all retirement benefits including the pensionary benefits, apart from other observations. In pursuance to such an order, it is represented by the learned Standing Counsel for the respondents that the petitioner herein was discharged from his service by permitting him to retire on 30.09.2016 and that they have paid all the retirement benefits including pensionary benefits. To such a submission, learned Counsel for the petitioner would submit that the retirement benefits have not been fully extended to the petitioner. In case the petitioner disputes the quantum of the amount disbursed to his retirement benefits such an alleged action cannot be termed as a disobedience of the order of this Court, which could be wilful in nature.

2. The entitlement of the petitioner's claim to certain undisbursed amounts, is a factual aspect which requires to be considered by the respondents on the basis of the claim made in this regard and that this Court would not go into such a factual aspect particularly in a Contempt Petition.

Now that this Court has found that there is no disobedience of the order of



WEB COPY
this Court, in view of the action of the Management in discharging the petitioner, by permitting him to retire and paying the retirement benefits, including the pensionary benefits, it would not be proper to keep this petition pending.

3. Accordingly, this Contempt petition is closed. If at all the petitioner is aggrieved against the quantum of the amount disbursed, it is open to him to challenge the same in accordance with law and the respondents would be entitled to put forth their objections to such claims that may be raised by the petitioner.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

gd

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

Gs/14/02/2022