



WEB COPY



W.P.No.19297 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19297 of 2015

and

W.M.P.Nos.14667 of 2016 & 31117 of 2017

G.Devi Prasad

...Petitioner

Vs

1. Central Bank of India,
Rep. by its Chairman & Managing Director,
16th Floor, Chandr Mukhi, Nariman Point,
Mumbai - 400 021.

2. General Manager (HRD),
Central Bank of India,
16th Floor, Chandr Mukhi, Nariman Point,
Mumbai - 400 021.

3. Zonal Manager,
Central Bank of India,
Zonal Office, 48/49, Montieth Road,
Egmore, Chennai - 600 008.

4. Assistant General Manager,
Central Bank of India,
Retiral Benefits Department,
NLC Building, Plot No.6, Block No.E,
Bandra Kurla Complex, Bandra,
Mumbai 400 051.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the letter issued by the 4th respondent bearing No. CO:HRD:RBD:2015-16:154 dated 11.05.2015 and quash the same and consequently direct the respondents Bank to add the past service of the petitioner in Government Departments for arriving at the qualifying service for the purpose of pension and to pay the difference in pension with up-to-date arrears within a time frame.

For Petitioner : Mr.K.M.Ramesh

For Respondents : Mr.S.Haroon-Al-Rasheed
for M/s.T.S.Gopalan & Co.

ORDER

Heard Mr.K.M.Ramesh, learned counsel appearing for the petitioner and Mr.S.Haroon-Al-Rasheed, learned counsel for the respondents.

2. Through the impugned order dated 11.05.2015, the petitioner's request for adding weightage of additional qualifying service, in terms of Regulation 26 of the Central Bank of India (Employees) Pension Regulation, 1995, for the purpose of calculating his superannuation pension, was rejected.



WEB COPY 3. The respondents have filed a counter affidavit, dated 18.10.2022, in which, it is stated as follows:-

"4. I state that the Hon'ble Supreme Court in litigations pertaining to similarly placed persons interpreting provisions similar to Regulation 26 held that period of services in the Government and Government undertakings should be reckoned for the purpose of Regulation 26 and pension should be calculated appropriately.

5. I state that pursuant to the same the qualifying basic pension of the Petitioner stood revised to Rs.9898/-. I state that after the addition of the additional qualifying service the arrears in pension amount was Rs.4,51,581/- and the enhanced commutation amount was Rs.93,941/-. I state that accordingly a sum Rs.5,45,522 was credited to the Petitioner's account - 3012260012 on 17.11.2018 by the Respondent Bank.

.....

7. I state that the amounts payable to the Petitioner have been paid and settled in accordance with the order of the Supreme Court. I state that the prayer



made in this writ petition has already been countenanced by this Respondent pursuant to the judgment of the Supreme Court."

4. Thus, the grievance of the petitioner is deemed to have been met, in view of the aforesaid statements made in the counter affidavit, whereby, the weightage of additional qualifying service was applied in the petitioner's case, for the purpose of calculating his superannuation pension.

5. Hence, no effective orders can be passed in the present Writ Petition and accordingly, the Writ Petition stands closed. No costs. Consequently, connected miscellaneous petitions are closed.

19.10.2022

Index:Yes/No
Speaking order/Non-speaking order
hvk



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M.S.RAMESH,J.

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