

Kerala High Court

K.Upendra Pai vs The Managing Director on 22 December, 2010

IN THE HIGH COURT OF KERALA AT ERNAKULAM

WP(C).No. 38137 of 2010(N)

1. K.UPENDRA PAI, AGED 58,
... Petitioner
2. T.V.SOMASUNDARAN, AGED 58 YEARS,
3. P.N.VIJAYAKUMAR, AGED 58,

Vs

1. THE MANAGING DIRECTOR,
... Respondent

2. THE DISTRICT TRANSPORT OFFICER,

For Petitioner :SRI.P.JAYAKUMAR

For Respondent : No Appearance

The Hon'ble MR. Justice P.N.RAVINDRAN

Dated :22/12/2010

O R D E R

P.N. RAVINDRAN, J.

W.P.(C) No.38137 of 2010

Dated this the 22nd day of December, 2010

J U D G M E N T

The petitioners are former employees of the Kerala State Road Transport Corporation, hereinafter referred to as the Corporation for short. They retired from service on 28.2.2007, 31.5.2007 and 31.5.2007 respectively. After the petitioners retired from service, pursuant to a bilateral agreement entered into between the Corporation and its employees their pensionary benefits were revised with effect from 1.3.2006 subject to the condition that the monetary benefits will be paid only with effect from 1.4.2009. In this writ petition, the petitioners claim payment of the revised pensionary benefits

with effect from 1.4.2009 in terms of the aforesaid settlement.

2. Sri.V.V.Nandagopal Nambiar, learned standing counsel appearing for the Corporation submits that the issue raised by the petitioners is covered in their favour by the judgment of a Division Bench of this Court and that the Corporation will determine the revised pensionary benefits payable to the petitioners and disburse the arrears with effect W.P.(C) No.38137 of 2010 from 1.4.2009 expeditiously.

In the light of the said submission, I dispose of the writ petition with a direction to the respondents to compute the revised pensionary benefits payable to the petitioners with effect from 1.4.2009 under the settlement concluded on 28.11.2008 and to disburse the arrears expeditiously and in any event within one month from the date of receipt of a certified copy of this judgment. It is clarified that if payment as directed above is not made within the time limit of one month, the arrears of pension payable to the petitioners will carry simple interest at the rate of 6% per annum from 1.6.2009. Needless to say, the respondents shall continue to pay revised pension to the petitioners.

P.N. RAVINDRAN, JUDGE.

nj.