

Saraswathy Vs. the General Manager, District Co-op.Bank

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Court : Kerala

Decided On : Feb-05-2014

Judge : Honourable Mr. Justice Babu Mathew P.Joseph

Appellant : Saraswathy

Respondent : The General Manager, District Co-op.Bank

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH WEDNESDAY, THE 5TH DAY OF FEBRUARY 2014 16TH MAGHA, 1935 WP(C).No. 9154 of 2010 (T) ----- PETITIONER(S): ----- SARASWATHY.K.(RETD. SENIOR MANAGER, THIRUVANANTHAPURAM DIST. CO-OPERATIVE BANK), THEJUS, DEVESWARAM, AMARAVILA.P.O., NEYYATTINKARA, THIRUVANANTHAPURAM. BY ADV. SRI.R.GOPAN RESPONDENT(S): ----- THE GENERAL MANAGER, DISTRICT CO-OPERATIVE BANK, HEAD OFFICE, PORT.P.O., THIRUVANANTHAPURAM. BY ADV. SRI.K.G.RADHAKRISHAN,SC,TVM.DIST.CO.OP.BANK SRI.THOMAS ABRAHAM,SC,TVM. DIST. CO.OP BANK THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05-02-2014, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: Kss WPC.NO.9154/2010 (T) APPENDIX PETITIONER'S EXHIBITS: EXHIBIT P1: COPY OF THE COMPLAINT FILED BY THE PETITIONER AS COMPLAINT NO.2361/2007 BEFORE THE LOK AYUKTA DTD. 21/11/2007. EXHIBIT P2: COPY OF THE

ORDER

DTD. 30/06/2008 IN COMPLAINT NO.2361/2007 BY THE LOK AYUKTA.
EXHIBIT P3: COPY OF THE

ORDER

DTD. 28/08/2008 IN COMPLAINT NO.2361/2007 BY THE LOK AYUKTA.
EXHIBIT P4: COPY OF THE

ORDER

DTD. 4/12/2008 IN COMPLAINT NO.2361/2007 BY THE LOK AYUKTA. EXHIBIT
P5: COPY OF THE

ORDER

DTD. 13/01/2009 IN COMPLAINT NO.2361/2007 BY THE LOK AYUKTA.
EXHIBIT P6: COPY OF THE REVIEW PETITION IN I.A.NO.80/2009 IN
COMPLAINT NO.2361/2007 FILED BY THE PETITIONER BEFORE THE LOK
AYUKTA DTD.5/02/2009. EXHIBIT P7: COPY OF THE OBJECTION FILED BY
THE RESPONDENT IN I.A.NO.80/2009 IN COMPLAINT NO.2361/2007 BEFORE
THE LOK AYUKTA DTD.17/08/2009. EXHIBIT P8: COPY OF THE REPLY TO
OBJECTION OF THE RESPONDENT IN I.A.NO.80/2009 IN COMPLAINT
NO.2361/2007 BEFORE THE LOK AYUKTA DTD. 17/08/2009 BY THE
PETITIONER. EXHIBIT P9: COPY OF THE

ORDER

IN I.A.NO.80/2009 IN COMPLAINT NO.2361/2007 OF THE LOK AYUKTA DTD.
10/09/2009. RESPONDENT'S EXHIBITS: N I L /TRUE COPY/ P.S.TOJUDGE Kss
BABU MATHEW P. JOSEPH, J.

===== W.P.(C).No. 9154 of 2010 =====
===== Dated this the 5th day of February, 2014

JUDGMENT

This writ petition has been filed claiming interest for the delayed payment of pensionary benefits due to the petitioner. Learned counsel for the petitioner submits that the petitioner has retired from the service of the respondent District

Co-operative Bank as a Senior Manager on 30.04.2007. Since her retirement benefits were not paid by the respondents, she was compelled to approach the Kerala Lok Ayukta for a direction to the respondent to disburse her retirement benefits. Accordingly, based on certain orders passed by the Lok Ayukta, she was paid the pensionary benefits of Rs.6,61,023/- but, no interest for the delayed payment was given. The respondent deposited the amount in their own account generating interest till the delayed disbursement of the pensionary benefits. The WPC 9154 OF20102 petitioner is entitled to the amount received by the respondent by way of interest by depositing the amount due to the petitioner. The argument so advanced by the learned counsel for the petitioner claiming interest accrued on the amount allegedly deposited by the Bank is only reasonable. Therefore, disposing of this writ petition, the respondent is directed to disburse the interest, if any, received by them by way of depositing the retirement benefits due to the petitioner in their account till the delayed disbursement of those amounts to the petitioner. This shall be done by the respondent within a period of 30 days from the date of receipt of a copy of this judgment. The petitioner shall produce a copy of this judgment before the respondent for compliance. Sd/- BABU MATHEW P. JOSEPH JUDGE ks. WPC 9154 OF20103

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