

Jayapramod.P Vs. the State of Kerala

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Court : Kerala

Decided On : Feb-18-2014

Judge : Honourable Mr.Justice C.K.Abdul Rehim

Appellant : Jayapramod.P

Respondent : The State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM TUESDAY, THE 18TH DAY OF FEBRUARY 2014 29TH MAGHA, 1935 WP(C).No. 31276 of 2013 (H) ----- PETITIONER(S): ----- JAYAPRAMOD.P. H.S.A., (MATHS), IRINGANNUR HIGHER SECONDARY SCHOOL, P.O. IRINGANNUR, VADAKARA KOZHIKODE. BY ADV. SRI.R.K.MURALIDHARAN RESPONDENT(S): ----- 1. THE STATE OF KERALA, REPRESENTED BY SECRETARY TO GENERAL EDUCATION DEPARTMENT, THIRUVANANTHAPURAM - 695 001.

2. THE DISTRICT EDUCATIONAL OFFICER, VADAKARA - 678 001. BY GOVERNMENT PLEADER SRI.LIJU V. STEPHEN THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18-02-2014, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C).No. 31276 of 2013 (H) ----- APPENDIX PETITIONER(S)' EXHIBITS ----- EXT.P1: TRUE COPY OF THE

ORDER

OF THE DEPUTY DIRECTOR OF EDUCATION DATED192/2010. EXT.P2: TRUE COPY OF THE

JUDGMENT

IN WPC NO.29769/2009 DATED0806/2012. EXT.P3: TRUE COPY OF THE

ORDER

DATED188/2012. EXT.P4: TRUE COPY OF THE RELEVANT PAGES OF GO(P) NO.85/2011/FIN. DATED2602/2011. EXT.P5: TRUE COPY OF THE FORM OF OPTION DATED0107/2011 ALONG WITH THE RELEVANT PAGE OF STATEMENT OF FIXATION OF PAY. EXT.P6: TRUE COPY OF THE ENDORSEMENT IN PAGE31OF THE SERVICE BOOK OF THE PETITIONER. EXT.P7: TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE2D RESPONDENT DATED1412/2012. EXT.P8: TRUE COPY OF THE OPTION FORM SUBMITTED BY THE PETITIONER BEFORE THE KERALA STATE EMPLOYEES GROUP INSURANCE SCHEME1984 RESPONDENT(S)' EXHIBITS ----- ANNEXURE1COPY OF THE STATEMENT OF FIXATION OF PAY IN RESPECT OF THE PETITIONER AND THE DETAILS OF HIS SERVICE. /TRUE COPY/ P. A. TO JUDGE Pn C.K. ABDUL REHIM, J.

----- W.P.(C). No. 31276 of 2013
----- Dated this the 18th day of February, 2014

JUDGMENT

The petitioner is approaching this court seeking directions for revision of the pay scale, based on 2009 pay revision and for payment of arrears on the basis of re-fixation. The petitioner had exercised option as per Ext.P5 and necessary endorsement sanctioning higher grade and pay revision was made in the Service Book as per Ext.P6, as early as on 9.5.2012. But the benefits flowing out of the revised scale of pay has not been disbursed. Hence he is approaching this court.

2. Along with a memo filed by learned Government Pleader appearing on behalf of respondents, Annexure 1 statement regarding fixation of pay in the revised scale sanctioned to the petitioner is produced. It indicates that the revised pay has been fixed at the higher grade on the basis of 2009 pay revision. It is mentioned in Annexure 1 that the arrears due up to 31.01.2011 will be credited to the Provident Fund Account of the petitioner. W.P.(C). No. 31276 of 2013 -2- 3. It is evident that, grievance expressed by the petitioner stands redressed substantially by virtue of Annexure 1. Learned counsel for the petitioner submits that the arrears due for the period which is not ordered to be credited to the Provident Fund Account is due for payment. It is pointed out that a bill claiming such amount has already been submitted on 07.02.2014. It is for the respondents to consider such claim and to take appropriate steps for disbursal of the amounts due, based on the bill submitted, without any further delay. The said claim shall be considered and appropriate decision for payment shall be taken, if the bill was already received, at any rate within a period of 2 weeks from the date of receipt of a copy of this judgment.

4. The writ petition is disposed of based on the above directions. Sd/- C.K. ABDUL REHIM, JUDGE /True copy/ P. A. to Judge Pn

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