

**Rajan, V. vs Institute of Human Resources Development (Ihrd)**

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**SooperKanoon Citation :** [sooperkanoon.com/1303666](https://sooperkanoon.com/1303666)

**Court :** Kerala

**Decided On :** Feb-06-2024

**Judge :** Honourable Mr.Justice Mohammed Nias C.P.

**Appeal No. :** WP(C)/29083/2019

**Appellant :** Rajan, V.

**Respondent :** Institute of Human Resources Development (Ihrd)

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.  
TUESDAY, THE 6TH DAY OF FEBRUARY 2024 / 17TH MAGHA, 1945  
PETITIONER :- RAJAN, V., AGED 62 YEARS S/O. VELAYUDHAN,  
WATCHER/PEON (HG) (RETIRED) COLLEGE OF APPLIED SCIENCE,  
VADAKKENCHERRY, PALLATH HOUSE, NADAKKAVIL, PADOOR  
P.O, ALATHUR , PALAKKAD BY ADV V.A.JOHNSON  
(VARIKKAPPALLIL) RESPONDENTS :- 1 INSTITUTE OF HUMAN  
RESOURCES DEVELOPMENT (IHRD) PRAJOE TOWERS,  
VAZHUTHACAUD, THIRUVNANTHAPURAM 695 014 2 STATE OF  
KERALA, REPRESENTED BY THE PRINCIPAL SECRETARY TO  
GOVERNMENT, HIGHER EDUCATION DEPARTMENT,

GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001  
BY ADV SRI.DEEPU THANKAN, SC, IHRD THIS WRIT PETITION  
(CIVIL) HAVING COME UP FOR ADMISSION ON 06.02.2024, THE  
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

## **JUDGMENT**

The petitioner is a retired employee of IHRD, to whom the benefits of the 9th pay revision have been extended. The petitioner submits that he had received the pay revision benefits only from 01.01.2015 and from 01.07.2009 to 31.12.2014, the same is in arrears.

2. In the writ petition, the petitioner prayed for the disbursement of pay revision arrears in tune with the Government Order dated 09.12.2014.

3. By way of an interim order dated 17.12.2019, this Court had directed to pay 20% of the arrears due to the petitioner in accordance with the UGC Scheme within three weeks.

4. The 1st respondent carried the matter in appeal by filing

W.A.No.369 of 2020. The Division Bench noted that the Executive Committee of the IHRD had decided to disburse the 9th pay revision arrears only to the retired hands of the IHRD in four annual equal instalments, subject to availability of funds and a direction was given to pay the amounts directed in the interim order within a month from 10th March 2020. Accordingly, the Writ Appeal was dismissed.

5. The learned counsel for the petitioner submits that he had received the amount as directed in the interim order.

6. As regards the balance, the learned standing counsel for the

IHRD submits on the basis of the statement in the counter affidavit that the Executive Committee of the IHRD decided to pay the arrears as per the 9th pay revision only to the retired employees and the same will be required in four equal annual instalments, subject to the availability of funds from the coming financial

year. This affidavit was filed on 22.02.2020.

7. The petitioner submits that despite the lapse of nearly four years, nothing has been paid. In such circumstances, taking note of the undertaking on the counter affidavit filed, there will be a direction to 1st respondent to pay the balance of arrears due to the petitioner in six equal monthly instalments commencing from 01.03.2024.

This writ petition is allowed as above. Sd/- MOHAMMED NIAS C.P. JUDGE SMA  
APPENDIX OF WP(C) 29083/2019 PETITIONER EXHIBITS :- TRUE COPY OF  
THE ORDER NO. A1/132/2006/CAS/VC EXHIBIT P1 DATED  
VADAKKENCHERRY 31/10/2015 TRUE COPY OF THE JUDGMENT IN W.P(C)  
NO. 10598 EXHIBIT P2 OF 2017 OF THIS HON'BLE COURT DATED 23/3/2018  
TRUE COPY OF THE JUDGMENT IN WRIT APPEAL NO. EXHIBIT P3 TRUE  
COPY OF THE ORDER NO. EB2/12726/2017/HRD

EXHIBIT P4 DATED 10/6/2019 ISSUED BY THE 1ST RESPONDENT  
1ST RESPONDENT ALONG WITH ITS POSTAL RECEIPT

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