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Babu N K vs the Kerala State Co-Operative Federation for Fisheries Development Ltd.

Babu N K vs the Kerala State Co-Operative Federation for Fisheries Development Ltd.

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Court : Kerala Orders

Decided On : Apr-07-2021

Judge : Honourable Mr. Justice Sunil Thomas

Appeal No. : WP(C)/39455/2017

Appellant : Babu N K

Respondent : The Kerala State Co-Operative Federation for Fisheries Development Ltd.

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE SUNIL THOMAS WEDNESDAY, THE 07TH DAY OF APRIL 2021 / 17TH CHAITHRA, WP(C).No.39455 OF 2017(F) PETITIONER: BABU N K S/O.KUNJAPPAN, AGED 54 YEARS, NIKATHITHARA HOUSE, NEAR CHAPPA KADAPPURAM, MALIPURAM P.O., ERNAKULAM. BY ADVS. SRI.A.X.VARGHESE SRI.A.V.JOJO RESPONDENTS: 1 THE KERALA STATE CO-OPERATIVE FEDERATION FOR FISHERIES DEVELOPMENT LTD. REPRESENTED BY ITS MANAGING

DIRECTOR, MATSYAFED, KAMALESWARAM, THIRUVANANTHAPURAM- 695009. 2 THE GENERAL MANAGER THE KERALA STATE CO-OPERATIVE FEDERATION FOR FISHERIES DEVELOPMENT LTD.,(MATSYAFED), KAMALESWARAM, THIRUVANANTHAPURAM-695009.

3 THE DISTRICT MANAGER, MATSYAFED DISTRICT OFFICE,THOPPUMPADY, ERNAKULAM-682005. 4 THE MANAGER AND PROJECT OFFICER BRACKISH WATER FISH FARM, MATSYAFED, MALIPPURAM, VYPIN- 682511. R1, R3 BY SRI.T.P.PRADEEP, SC, MATSYAFED THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07.04.2021, ALONG WITH WP(C).8629/2020(C), THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE SUNIL THOMAS WEDNESDAY, THE 07TH DAY OF APRIL 2021 / 17TH CHAITHRA, PETITIONER: BABU N.K. AGED 54 YEARS S/O. KUNJAPPAN, NIKATHITHARA HOUSE, NEAR CHAPPA KADAPPURAM, MALIPURAM P.O, ERNAKULAM BY ADVS. SRI.A.X.VARGHESE SRI.A.V.JOJO RESPONDENTS: 1 THE KERALA STATE CO-OPERATIVE FEDERATION FOR FISHERIES DEVELOPMENT LTD. REPRESENTED BY ITS MANAGING DIRECTOR, MATSYAFED, KAMALESWARAM, THIRUVANANTHAPURAM 2 THE GENERAL MANAGER, KERALA STATE CO-OPERATIVE FEDERATION FOR FISHERIES DEVELOPMENT LTD, (MATSYAFED) KAMALESWARAM, THIRUVANANTHAPURAM 695 009

3 THE DISTRICT MANAGER, MATSYAFED DISTRICT OFFICE, THOPPUMPADY, ERNAKULAM 682 005 4 THE MANAGER AND PROJECT OFFICER BRACKISH WATER FISH FARM, MATSYAFED, MALIPPURAM, VYPIN 682 511 R1 BY ADV. SRI.T.P.PRADEEP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON

07.04.2021, ALONG WITH WP(C).39455/2017(F), THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 7th day of April 2021 The petitioner has filed 39455/2017 challenging his termination while in employment of the respondent as a security on daily wage. While so he filed a writ petition 8629 of 2020 lamenting delay in the disbursement of EPF and other benefits.

2. When the matter was taken up, the learned counsel

for the respondent-Matsyafed submitted that in the light of the pendency of W.P.(C) 39455/2017 Matsyafed will not be in position to consider his request for an expeditious disposal of writ petition No.8629/2020. The learned counsel for the petitioner submitted that since the petitioner is overaged, he is not pursuing W.P.(C).39455/2017. Accordingly, this is dismissed as not pressed. The writ Petition No. 8629/2020 is disposed of directing the respondent Matsyafed to consider this application to release his terminal benefits including the employees provident fund benefits and other service benefits within a period of one month from the date of receipt of a copy of this judgment. Sd/- SUNIL THOMAS JUDGE LEK APPENDIX OF WP(C) 39455/2017 PETITIONER'S/S EXHIBITS: EXHIBIT P1 TRUE COPY OF THE RELEVANT PAGES OF THE PASS BOOK OF THE PETITIONER. EXHIBIT P2 TRUE COPY OF THE COMPLAINT DATED 12.6.2017. EXHIBIT P3 TRUE COPY OF THE COMPLAINT DATED 13.7.2017. EXHIBIT P4 TRUE COPY OF THE REPRESENTATION DATED 11.8.2017. EXHIBIT P5 TRUE COPY OF THE REPRESENTATION DATED 12.8.2017. EXHIBIT P6 TRUE COPY OF THE REMITTANCE MADE BY THE PETITIONER DATED 27/3/2013 EXHIBIT P7 TRUE COPY OF THE REMITTANCE MADE BY THE PETITIONER ON 8/7/2014. EXHIBIT P8 TRUE COPY OF THE F.I.R 878/2017 DATED RESPONDENT'S/S EXHIBITS: EXHIBIT R1 (a) A TRUE COPY OF THE FIR REGISTERED AGAINST THE PETITIONER AS CRIME NO.762/2017 OF NJARAKKAL POLICE STATION. EXHIBIT R1 (b) TRUE COPY OF THE ORDER BEARING NO.Mfed/Aqua/321/2016 DATED 08.12.2017 OF THE GENERAL MANAGER APPENDIX OF WP(C) 8629/2020 PETITIONER'S/S

EXHIBITS: EXHIBIT P1 TRUE COPY OF THE APPLICATION UNDER R.T.I ACT DATED 13/12/2019 EXHIBIT P2 TRUE COPY OF THE REPLY OBTAINED UNDER R.T.I ACT

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