

Serial No.09
Supp.List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 231 of 2019

Date of Order : 27.06.2019

Smti.Phrida Marbaniang Vs. The Meghalaya Transport
Corporation & Ors.

Coram:

Hon'ble Mr. Justice Ajay Kumar Mittal, Chief Justice

Appearance:

For the Petitioner/Appellant(s) : Mr. N.Syngkon, Adv.
For the Respondent(s) : Mr. K.Khan, Sr. Adv. with
Mr. S.K.Hassan, Adv. for R 1.
Ms. P. Bhattacharjee, Adv. for R 2&3.

ORAL

The grievance of the petitioner in this petition filed under Article 226 of the Constitution of India is that the retiral benefits of the petitioner are not being released by the respondents.

It has been claimed by the petitioner that he superannuated and was released from service with effect from 30-04-2019. Further, from the date of retirement till date of filing of the petition though several requests were made by the petitioner, the respondent-Corporation has not released any retiral benefits to him.

On perusal of the writ petition, I find that though petitioner has claimed that verbally he had made requests, but no written claim has been made to the respondents for the release of retiral benefits.

Mr. K.Khan, learned Sr. counsel assisted by Mr. S.K.Hassan, learned counsel has put in appearance on behalf of respondent No. 1.

After hearing the learned counsel for the parties, the same is disposed of at this stage by directing the petitioner to file a detailed and

comprehensive representation claiming the retiral benefits within one month from the date of receipt of certified copy of this order. However, it is further directed that the representation filed by the petitioner with respondent No.1 shall be decided by the said respondent after affording opportunity of hearing to the petitioner and by passing a speaking order in accordance with law within next one month. It is also observed that in case the petitioner is found entitled to the retiral benefits, the same shall be released to the petitioner within next one month of the passing of the order.

(Ajay Kumar Mittal)
Chief Justice

Meghalaya
27.06.2019
"Samantha PS"

