

Serial No. 01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 244 of 2018

Date of Decision: 14.07.2021

Smti Anju Slong Mynso Vs. Meghalaya Co-operative Apex Bank
Ltd., represented by its Chairman

Coram:

Hon'ble Mr. Justice H. S. Thangkhiew, Judge

Appearance:

For the Petitioner(s) : Mr. D. Mozumdar, Sr. Adv. with
Mr. B. Chetri, Adv.
Mr. K.K. Parasar, Adv.

For the Respondent(s) : Mr. V.K. Jindal, Sr. Adv. with
Ms. E. Marwein, Adv.

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|-----|---|--------|
| i) | Whether approved for reporting in
Law journals etc.: | Yes/No |
| ii) | Whether approved for publication
in press: | Yes/No |

1. Matter taken up via Video Conferencing.
2. The petitioner, an employee of the Meghalaya Co-operative Apex Bank Limited, is before this Court assailing the refusal of the management to agree to her request to go on voluntary retirement under the Voluntary Retirement Scheme of the Bank. However, during the pendency of the instant writ petition and in the course of hearing on 16.04.2021, this Court was informed that the petitioner has since retired in the normal course on 01.03.2021.

3. This Court therefore, by order dated 16.04.2021, directed the parties to place on affidavit the current situation as it prevailed on that day. Pursuant to the said order, the affidavits have since been filed placing on record the facts as directed.

4. A perusal of the affidavits reflects that the petitioner since her application for voluntary retirement, last attended office on 29.11.2017 till her retirement on 01.03.2021 due to health reasons. With regards to her terminal benefits which the petitioner is entitled to on superannuation, the respondents in their affidavit, have detailed the same at Paragraph-6 which is reproduced hereinbelow :-

“The deponent would like to place on record the terminal benefits which the petitioner is likely to get on her retirement on superannuation:-

(A) Provident Fund:

(i) Employer (Bank's) Contribution - Rs. 17,32,655.00/-

(ii) Self Contribution - Rs. 10,52,475.00/-

Total : -Rs. 27,86,130.00/-

(B) Gratuity -Rs. 25,00,000.00/-

(C) Pension as admissible from Employees Provident Fund Organisation.

(D) Annuity Pension as provided by the Bank on superannuation over and above pension provided by the Employees Provident Fund Organisation.

(E) In addition to this, salary for leave balance, if any, shall also be paid along with the terminal benefits.”

5. In view of this development and present circumstances, it is no longer deemed necessary to enter in to, or to render a finding on the merits of the case and as such, this writ petition stands accordingly disposed of leaving the petitioner and the respondents to settle the

entitlements and service benefits and/or any adjustments necessary of the writ petitioner, in accordance with law at the earliest.

6. No order as to costs.

JUDGE

Meghalaya
14.07.2021
"V. Lyndem-PS"

