
(2023) 04 KL CK 0097

In the High Court Of Kerala

Case No : Writ Petition (C) No.2088 of 2023

Elizabeth Mathew

APPELLANT

Vs

Cochin University Of Science And Technology

RESPONDENT

Date of Decision : 11-04-2023

Acts Referred:

Citation : (2023) 04 KL CK 0097

Hon'ble Judges : Sathish Ninan, J

Bench : Single Bench

Advocate : P.K.Antony, S.P.Aravindakshan Pillay

Final Decision : Disposed Of

Judgement

Sathish Ninan, J.

1. The petitioner retired from the first respondent University on 29-02-2020 as 'Deputy Registrar'. He has approached this Court aggrieved by the non-disbursal of the Death-Cum-Retirement Gratuity (for short 'DCRG').

2. Heard the learned counsel on both sides.

3. Ext.P1 is the Liability Certificate dated 25-09-2020. In Ext.P1, it is stated that the Kerala State Audit Department has raised certain objections. The respondents have, through their counter affidavit, pointed out that the total loss caused to the University has been arrived at as Rs.2,66,533/-. However, the petitioner alone is not liable for the entire amount. The issue regarding the apportionment of the liability is yet to be finalized.

4. The entitlement of the respondents to have the liability appropriated from the DCRG amount in the light of Rules 3 and 3A of Part III of the Kerala Service Rules, is not disputed. It would be sufficient if the apportionment of liability is done immediately.

In the light of the above, it is ordered that, the third respondent - Registrar shall

ensure that,

(i) The undisputed amount is disbursed to the petitioner within one week from today.

(ii) Steps for finalization of liability and apportionment is done within a period of three weeks from today.

(iii) The balance amounts payable to the petitioner after adjustment of the liability as above, shall be disbursed within a further period of one month thereafter.

The writ petition is disposed of as above.