

## **Masood Ahmad Vs Heavy Engineering Corporation Ltd., The Chairman-cum-Managing Director and Others**

**Court:** Jharkhand High Court

**Date of Decision:** Aug. 30, 2006

**Citation:** (2007) 1 JCR 244A

**Hon'ble Judges:** R.K. Merathia, J

**Bench:** Single Bench

**Final Decision:** Dismissed

### **Judgement**

R.K. Merathia, J.

Mr. P.K. Prasad, appearing for the petitioner, submits that he has got no instructions to press this application.

2. Mr. R. Mukhopadhyay, appearing for the Heavy Engineering Corporation (for short "H.E.C.") submitted that admittedly the petitioner resigned

from the service of the H.E.C. on 28.8.1995 and thus he is not entitled to any amount on account of revision of pay scale and allowances as per

Circular No. 5 of 1997 dated 9.10.1997. He further-submitted that several employees, who took voluntary retirement raised similar pleas but the

same were rejected by this Court in Maithon Toppo etc. v. H.E.C. 2000 (1) PLJR 1046, and by the Apex Court in HEC Voluntary Retd. Emps.

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3. In my view, the same analogy which was applied to the cases of persons who voluntarily retired, will apply to the case of this petitioner also who

resigned from serviced prior to coming into force of the said circular and, accordingly, I hold that this case is fully covered by the said judgments.

4. Accordingly, this writ petition is dismissed. However, there will be no order as to costs.