

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**  
**PRESENT**  
**THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V**  
**FRIDAY, THE 22<sup>ND</sup> DAY OF DECEMBER 2023 / 1ST POUSHA, 1945**  
**WP(C) NO. 41029 OF 2023**

**PETITIONERS:**

- 1        SAJU T JOSE  
         AGED 63 YEARS  
         S/O T.M.JOSEPH THADATHIL HOUSE , VAZHAKULAM P.O  
         MUVATTUPUZHA, PIN - 686670.
- 2        M J JOSE  
         AGED 67 YEARS  
         S/O M.U.JOSEPH MULLASSERIYIL HOUSE, PIRALIMATTOM  
         KADALIKADU P.O MUVATTUPUZHA, PIN - 686670.
- 3        JOSE GEORGE  
         AGED 64 YEARS  
         S/O VARGHESE, KOCHUPURACKAL HOUSE, KAVANA, VAZHAKULAM P.O,  
         PIN - 686670.
- 4        JESSY MATHEW  
         AGED 63 YEARS  
         W/O M.A.MATHAI MUNDANCHIRA HOUSE, VAZHAKULAM P.O,  
         PIN - 686670.
- 5        SYNO VARGHESE  
         AGED 63 YEARS  
         W/O JOSE P.M, PUTHENKULAM HOUSE, MARIYIL KALINGU,  
         THODUPUZHA P.O REPRESENTED THROUGH POWER OF ATTORNEY HOLDER  
         JOSE P.M S/O MATHAI LUCKA, PUTHENKULAM HOUSE,  
         MARIYILKALLINGU, OLAMATTOM KARA, THODUPUZHA P.O, IDUKKI,  
         PIN - 685584.
- 6        BETTY ISSAC  
         AGED 66 YEARS  
         W/O VARGHESE PAUL KOOTTAPPILLIL HOUSE,  
         POTHANICADU P.O, PIN - 686671.
- 7        VALSA C J  
         AGED 63 YEARS  
         T.C.VINCENT, THAKARAPILLIL HOUSE, VAZHAKULAM P.O,  
         PIN - 686670.
- 8        K THANKAPPAN  
         AGED 65 YEARS  
         S/O A.K.KUTTAPPAN AKATHUTTEL HOUSE, VAZHAKULAM P.O,  
         PIN - 686670.
- 9        K J BASIL  
         AGED 65 YEARS  
         S/O AYPE, KALAYIL HOUSE , MADAKKATHANAM P.O, PIN - 686670.

BY ADV S.AMBILY

**RESPONDENTS:**

- 1 STATE OF KERALA  
REPRESENTED BY ITS CHIEF SECRETARY, GOVT. SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001.
- 2 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL),  
JOINT REGISTRAR OFFICE, CIVIL STATION , KAKKANADU,  
PIN - 682030.
- 3 THE REGISTRAR OF CO OPERATIVE SOCIETIES  
THE OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES ,  
THIRUVANANTHAPURAM, PIN - 695001.
- 4 THE SERVICE CO-OPERATIVE BANK LTD, NO.2824 VAZHAKULAM  
REPRESENTED BY ITS SECRETARY, VAZHAKULAM P.O,  
MUVATTUPUZHA ERNAKULAM, PIN - 686670.
- 5 THE MANAGING COMMITTEE OF THE SERVICE CO-OPERATIVE BANK  
LTD, NO.2824 VAZHAKULAM,  
REPRESENTED BY ITS PRESIDENT VAZHAKULAM P.O, MUVATTUPUZHA  
ERNAKULAM, PIN - 686670.

BY ADVS.  
S.SREEDEV  
ENOCH DAVID SIMON JOEL (K/925/2009)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
22.12.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**JUDGMENT**

The petitioners herein are the employees of the Vazhakulam Service Co-operative Bank. They have approached this Court seeking issuance of directions to the respondents to implement Ext.P2 Government Order dated 17.09.2015, and grant the petitioners a revised pay scale and arrears of salary.

2. By order dated 14.12.2023, the matter was referred to mediation as requested by the learned counsel appearing for both sides.

3. It appears that the parties were able to settle their disputes and enter into an agreement. The Memorandum of Agreement dated 20.12.2023 entered into between the parties has been placed on record.

In view of the settlement arrived at between the parties, this writ petition is disposed of in terms of the settlement. The memorandum of agreement shall form part of this judgment.

Sd/-

**RAJA VIJAYARAGHAVAN V  
JUDGE**

Sru

**APPENDIX OF WP(C) 41029/2023**

## PETITIONERS EXHIBITS

Exhibit P1	A COPY OF THE DETAILS OF THE PETITIONERS REGARDING THEIR DATE OF JOINING THE SERVICE, DATE OF RETIREMENT AND DESIGNATION AT THE TIME OF RETIREMENT.
Exhibit P2	TRUE COPY OF THE G.O (M.S) 118/2015 (CO) DATED 17.09.2015 ISSUED BY THE 1ST RESPONDENT.
Exhibit P3	TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN WP(C) 3088/2020 DATED 05.02.2020.
Exhibit P4	TRUE COPY OF THE JUDGMENT DATED 14.12.2022 IN WP(C) 14858/2021 OF THIS HON'BLE COURT.
Exhibit P5	TRUE COPY OF THE LETTER ISSUED BY THE 2ND RESPONDENT TO RESPONDENT NO. 4.
Exhibit P 6	TRUE COPY OF THE ORDER DATED 06.05.2023 PASSED BY THE 3RD RESPONDENT.

**ERNAKULAM MEDIATION CENTRE**  
**(HIGH COURT HALL)**

(2<sup>nd</sup> floor, above SBI, High Court Building, Ernakulam, Kochi-31. (Ph:0484-2562238)

EMC/Reg No, 1550/23

Dated 20/12/2023

From

The Nodal Officer,  
High Court Mediation Centre.

To

The Registrar (Judicial)  
High Court of Kerala, Ernakulam.

Sir,

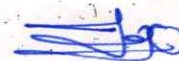
Sub : Mediation of case referred by the Hon'ble High Court of Kerala -  
reg.

Ref : Referral Order in WP(C) 41029/2023  
dated 14/12/2023 of the Honorable High Court of Kerala

*C. Seal  
WP(C)  
17/12/23  
Reg.(Judl.)*

I am to forward herewith Report of the Mediator in the matter along  
with the enclosures for information and necessary action.

Yours Faithfully,



Nodal Officer,  
Ernakulam Mediation Centre

- Encl:-
1. Report of the Mediator, Settlement Agreement
  2. Copy of the referral order dated 14/12/2023 of the High Court of Kerala.
  3. Copy of the Petition

**BEFORE THE HONOURABLE HIGH COURT OF  
KERALA AT ERNAKULAM**

**W.P (C) No.41029 of 2023**

Saju T.Jose & Others : Petitioners

Vs.

State of Kerala & others : Respondents

**REPORT SUBMITTED BY THE MEDIATOR**

**ADV. LETHA M.S.**

Mediated, matter is settled.

Terms and conditions are attached herewith.

Dated this the 20<sup>th</sup> day of December, 2023.



Adv. Letha M.S.  
Mediator  
Ernakulam Mediation Centre



BEFORE THE HONOURABLE HIGH COURT OF KERALA AT  
ERNAKULAM

W.P (C) No.41029 of 2023

Saju T.Jose & Others

: Petitioners

Vs.

State of Kerala & others

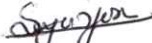
: Respondents

**MEMORANDUM OF AGREEMENT UNDER SECTION 89 OF THE  
CODE OF CIVIL PROCEDURE READ WITH RULES 24 & 25 OF  
THE CIVIL PROCEDURE (ALTERNATIVE DISPUTE  
RESOLUTION), RULES, 2008:**

The petitioners and respondents have agreed to settle the disputes between them in the following terms and conditions:

1. Respondents 4 & 5 agrees to pay an amount of Rs.18,00,000/- (Rupees eighteen lakhs only) to the Petitioners towards their claims regarding the benefit as per Exhibit P2, petitioners agreed to accept the same. The payments to be made to the petitioners shall be accordance with Annexure attached herewith.
2. The Petitioners agree that the payments as per Annexure shall be towards the full and final settlement of all the benefits with respect to Exhibit P2 G.O No. (M.S.)118/2015 (CO) dated 17/9/2015. dated 17/09/2015.

**Petitioners**

1.Saju T.Jose 

3.Jose George 


5.Syno Varghese 

Represented through POA Holder Jose P M


7.Valsa C.J. 

9.K.J.Basil. 

2.M.J.Jose 

4.Jessy Mathew 

6.Betty Issac 

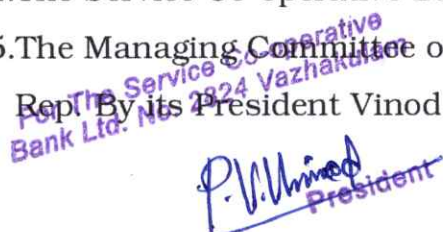
8.K.Thankappan 

**Respondents**

R4.The Service Co-operative Bank Ltd. Rep. By its Secretary, Arun.

R5.The Managing Committee of the Service Co-operative Bank Ltd.

Rep By its President Vinod P.V.

  
P.V.Vinod  
President

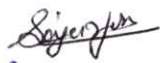







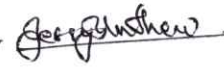
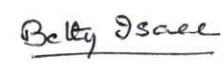

  
Secretary in Charge

3. The Petitioners hereby agree to give up the revised pensionary benefits envisaged under Ext.P6.
4. Respondent 4 & 5 agrees to disburse Rs.18,00,000/- (Rupees eighteen lakhs only) to the Petitioners as per Annexure towards the full and final settlement of the benefits and claims on or before 31<sup>st</sup> January, 2024.
5. In case of default in making payments as stated above the Petitioners will be free to take appropriate legal action to get the benefits provided under Ext.P2, G.O No. (M.S.)118/2015 (CO) dated 17/9/2015.
6. Annexure shall form part of this settlement.
7. Respondents Nos.1 to 3 are only formal parties and they are not signatory to this settlement agreement.

Dated this the 20th day of December, 2023.

**Petitioners**

1. Saju T. Jose   
3. Jose George   
5. Syno Varghese   
Represented through POA Holder Jose P M  
7. Valsa C.J.   
9. K.J. Basil. 

2. M.J. Jose   
4. Jessy Mathew   
6. Betty Issac   
8. K. Thankappan 

**Respondents**

- R4. The Service Co-operative Bank Ltd. Rep. By its Secretary, Arun.
- R5. The Managing Committee of the Service Co-operative Bank Ltd.  
Rep. By its President Vinod P.V.



For The Service Co-operative Bank  
Ltd. No. 2824 Vazhakulam

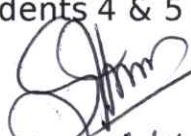
For The Service Co-operative  
Bank Ltd. No. 2824 Vazhakulam

  
President

Counsel for the Petitioners

  
S. Ambily  
K/248/2011

Counsel for the Respondents 4 & 5

  
Adv. S. Sreedev  
K 1219/2006



1. Saju T. Jose *Sujay*

2. M.J. Jose *for*

3. Jose George *for*

NOTED 41029/2023  
ANNEXURE

4. Jessy Mathew *for*

5. Syno Varghese *for*  
Rep. PCA 485 PM

6. Betty Issac *Betty Isaac*

7. Valsa CJ *for*

8. K. Thankappan *for*

9. K. J. Basil *Basil*

Sl No	NAME	ARREAR	PNF PAID	PNF DUE	BAL. DUE	BALANCE	DIV TOTAL	LIGIBLIT	EL.+PNF
1	SAJU T JOSE	434434		79989	354445	1366384	2641193	183367	263356
2	JOSE GEORGE	557465		102920	454545	1366384	2641193	235152	338072
3	JESSY MATHEW	519035		96153	422882	1366384	2641193	218772	314925
4	BASIL K J	405379		71089	334290	1366384	2641193	172940	244029
5	JOSE M J	158126		13913	144213	1366384	2641193	74607	88520
6	THANKAPPAN K	174947		25600	149347	1366384	2641193	77263	102863
7	BETTY ISSAC	248482		43952	204530	1366384	2641193	105811	149763
					0	0	0		0
8	SYNO VARGHESE	470412		101618	368794	1366384	2641193	190790	190790
9	VLSA C J	255098		46951	208147	1366384	2641193	107682	107682
	GRAND TOTAL	3223378		148569	2641193				1800000
			PNF	INT					
1	SAJU T JOSE	38520		41469					148569
2	JOSE GEORGE	49563		53357					433616
3	JESSY MATHEW	46304		49849					582185
4	BASIL K J	34234		36855					
5	JOSE M J	6700		7213					1800000
6	THANKAPPAN K	12328		13272					433616
7	BETTY ISSAC	21166		22786					
8	SYNO VARGHESE	48936		52682					
9	VLSA C J	22610		24341					
	TOTAL	280361		301824					1366384

PAID		148569
PAYABLE		433616
STATEMET PNF		582185
OFFER AMOUNT		1800000
PNF PART		433616
DIVISIBLE AMOUNT		1366384



2. Anbily  
K/2408/200  
Council for Relations

3. S. Saeed  
K/219/2006  
Council for Relations 485

4. The Managing Committee  
of the Service Co-op Bank Ltd  
Rep by its President for the Service  
Co-op Bank Ltd. No. 2824 Vazhakkulam  
P.O. P. V.  
Bank Ltd.  
President