

For these and other reasons to be submitted at the time of hearing, it is humbly prayed that this Hon'ble Court may be pleased:

- (i) to call for the records leading to Exhibit P12-BSNL Corporate Office Letter dated 04-05-2012 and to quash para 1, para 2 and para 4 of Ext. P12-Letter dated 04-05-2012 to the extent they segregate the total service rendered by the petitioners 2 and 3 and the members of the 1<sup>st</sup> petitioner-Association who are similarly placed as that of the petitioners 2 and 3 from the date of their absorption into BSNL in accordance with Rule 37-A of CCS (Pension)Rules and treating them as directly recruited by the BSNL thereafter, and bringing their service rendered after their absorption into B.S.N.L. for the payment received as the cash equivalent of the leave salary in respect of the period of earned leave at their credit under Section (10 AA) (ii) of the Income-Tax Act by the issuance of a writ of certiorari or other appropriate writ, direction or order;
- (ii) to issue a writ of mandamus or other appropriate writ, direction or order directing the respondents to refund the amount of Rs. 8,964/- deducted from the Leave Encashment and Rs. 12,17,013/-from the Ex-Gratia amount payable to the 2<sup>nd</sup> petitioner with interest @12% per annum expeditiously, at any rate, within a time frame that may be fixed by this Hon'ble Court;
- (iii) to issue a writ of mandamus or other appropriate writ, direction or order directing the respondents to refund the amount of Rs.1,40,279/- deducted from the Leave Encashment and Rs. 9,02,881/-from the Ex-Gratia amount payable to the 3<sup>rd</sup> petitioner

with interest @12% per annum expeditiously, at any rate, within a time frame that may be fixed by this Hon'ble Court;

- (iv) to issue appropriate writ, direction or order to the respondents 1 to 3 to consider the need to revise the amount of Rupees Five Lakhs exempt under Section 10(10C) of Income Tax Act fixed in the year 1993 taking into account the factors like the revision of pay 3 times thereafter on the recommendation of the Central Pay Commission and the increase in the cost of living having a bearing on financial exigencies faced by the employees like the petitioners;
- (v) to issue a writ of mandamus or other appropriate writ, direction or order directing the respondents to refund the income tax levied beyond Rs. 5,00,000/- in terms of Section 10(10C) of the Income-tax Act in the event, the ceiling of the amount exempt under 10(10C) is enhanced and the amount received by them at the time of retirement is fully exempt;
- (vi) to issue such other appropriate writ, direction or order which this Honourable Court deems just and fit in the circumstances of the case; and
- (vii) to award exemplary costs to the petitioners.