

(2019) 11 UK CK 0109

In the Uttarakhand High Court

Case No : Writ Petition (S/B) No. 524 Of 2019

Anand Singh Bisht

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 15-11-2019

Acts Referred:

Citation : (2019) 11 UK CK 0109

Hon'ble Judges : Ramesh Ranganathan, CJ;Alok Kumar Verma, J

Bench : Division Bench

Advocate : Ashish Joshi, Vikas Pande

Final Decision : Disposed Of

Judgement

Ramesh Ranganathan, CJ

1. Heard Mr. Ashish Joshi, learned counsel appearing on behalf of the petitioner and Mr. Vikas Pande, learned Standing Counsel appearing on behalf of the State Government and, with their consent, the Writ Petition is disposed of at the stage of admission.

2. The petitioner has invoked the jurisdiction of this Court seeking a writ of mandamus commanding the respondents to give pension and gratuity to him, as also the benefits of the Assured Career Progression scheme from August, 2016.

3. The petitioner retired from service on 31.12.2018. He has invoked the jurisdiction of this Court complaining that his pension, gratuity and ACP benefits have not been extended to him till date.

4. When the matter came up earlier on 13.11.2019, Mr. Vikas Pande, learned Standing Counsel for the State Government, sought time to obtain instructions. Today the learned Standing Counsel, on instructions, states that the petitioner has already been paid his Leave Encashment amount of 300 days, Group Insurance Scheme amount and provisional pension from January, 2019 to August, 2019; and payment of provisional pension, for the months of September

and October, 2019, is in process. He would further state that the petitioner has not been sanctioned pension or gratuity since a disciplinary inquiry is pending against him.

5. Mr. Ashish Joshi, learned counsel for the petitioner, would submit that, instead of keeping the Writ Petition pending on the file of this Court, it would suffice if the respondents were directed to complete the disciplinary inquiry, initiated against the petitioner, within a specified time frame.

6. Mr. Vikas Pande, learned Standing Counsel appearing on behalf of the State Government, readily agrees for such an order to be passed.

7. We consider it appropriate, in such circumstances, to dispose of the Writ Petition directing the respondents to complete the disciplinary inquiry, initiated against the petitioner, with utmost expedition and, in any event, within three months from the date of production of a certified copy of this order.

8. Needless to state that, in case the petitioner is absolved of all charges in the said disciplinary inquiry, the respondents shall, within one month of the conclusion of the disciplinary inquiry, consider releasing the retiral benefits to which the petitioner may be entitled to.

9. The Writ Petition is, accordingly, disposed of. No costs.