
(2022) 03 UK CK 0139

In the Uttarakhand High Court

Case No : Writ Petition (S/B) No. 134 Of 2022

Chandra Shekhar Tiwari

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 14-03-2022

Acts Referred:

Citation : (2022) 03 UK CK 0139

Hon'ble Judges : S.K. Mishra, J;R.C. Khulbe, J

Bench : Division Bench

Advocate : Alok Mahra, K.N. Joshi, D.S. Patni, B.S. Bisht

Final Decision : Disposed Of

Judgement

S.K. Mishra, J

1. The petitioner is a retired employee of the respondent-Corporation. His complaint is that the retirement benefits due to him have not been paid. The benefits include gratuity, leave encashment, arrears of 7th pay commission and other benefits.

2. Mr. D.S. Patni, the learned Senior Counsel for the respondent-Corporation, does not actually dispute the liability. However, the learned Senior Counsel does not, of course, agree to the exact amount due. His main contention is paucity of funds.

3. The petitioner is a retired employee and we feel that it will be unfair to deprive him of his retiral benefits. Therefore, we dispose of the Writ Petition by directing the respondent nos. 2 to 4, i.e. the Uttarakhand Pey Jal Sansadhan Vikas Evam Nirman Nigam, as follows:

(i) Within a period of two months from today, the amount of gratuity shall be paid to the petitioner.

(ii) Within a period of five months from today, the amount of leave encashment

shall be paid to the petitioner.

(ii) Within a period of seven months from today, the entire amount due by way of arrears of 7th pay commission shall be paid to the petitioner.

4. In sequel thereto, all pending applications also stand disposed of.

5. Urgent copy of this order be supplied to the learned counsel for the parties, as per Rules.