
(2006) 02 DEL CK 0080
In the Delhi High Court
Case No : Writ Petition (C) 2732 of 2004

Joginder Singh

APPELLANT

Vs

Director of General and Others

RESPONDENT

Date of Decision : 15-02-2006

Acts Referred:

Citation : (2006) 02 DEL CK 0080

Hon'ble Judges : Mukul Mudgal, J; H.R. Malhotra, J

Bench : Division Bench

Advocate : R.S. Rathi, for the Appellant; Barkha Babbar, for the Respondent

Final Decision : Dismissed

Judgement

Mukul Mudgal, J.—Rule DB. With the consent of the learned counsel for the parties the writ petition is taken up for final hearing.

2. This writ petition challenges the denial of what according to the petitioner was the interest which accrued in his favor due to the delayed payment pursuant to an order of this Court. The petitioner's case is that the amount was payable to him pursuant to the order of this Court dated 3rd September, 2001:-

If any amount is found due and payable to the petitioner towards his pay and salary, the same shall be paid by the respondents within eight weeks. If the petitioner is still aggrieved, he shall have the remedy to approach the appropriate court, in accordance with law.

3. The petitioner's further case is that he again approached this Court and an order was passed on 27th March, 2003. The relevant portion of the said order/judgment dated 27th March, 2003 reads as follows:-

We find force in the statement and the actions stated by the respondents. The petitioner shall immediately report for his duties at Srinagar to which station the entire unit of the petitioner has moved. He shall report for duty within a week from today. In the event of petitioner reporting for duty in terms of this order,

payment of the salary for the period from 23rd June, 1999 to 28th September, 2000 shall be released in his favor within four weeks of the date of joining.

4. The petitioner has relied upon the order/judgment dated 27th March, 2003 to contend that he should have been paid the arrears of salary on or before 27th April, 2003. It is not in dispute that the said amount was not paid in April, 2003 but was paid only on 1st August, 2003. There does appear to be some delay which has not been accounted for. However, considering the overall facts of the case and the conduct of the petitioner we do not deem it necessary to pass any order for payment of interest which the petitioner may have become entitled to receive.

5. Consequently the writ petition is dismissed and stands disposed of accordingly.