

(2024) 09 UK CK 0090

In the Uttarakhand High Court

Case No : Writ Petition No. 1855 Of 2024 (S/S)

Keshav Datt Joshi

APPELLANT

Vs

Uttarakhand Transport Corporation And Others

RESPONDENT

Date of Decision : 30-09-2024

Acts Referred:

Citation : (2024) 09 UK CK 0090

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : I.D. Paliwal, Ashish Joshi

Judgement

Ravindra Maithani, J

1. By means of the instant petition, the petitioner seeks the following reliefs:-

(i) Issue a writ of certiorari quashing the impugned office order dated 19.10.2022 passed by respondent nno.2 to the extent the recovery of Rs. 1,64,626/- towards payment of gratuity (contained as Annexure No.1 to this writ petition).

(ii) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondents to return back the arrear of salary Rs. 1,64,626/- which is being adjusted towards payment of gratuity to the petitioner along with interest @ 10% applicable as per payment of Gratuity Act till the actual payment.

(iii) Issue any other or further writ,, order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case.

(iv) To award the cost of the petition in favour of the petitioner.

2. Heard learned counsel for the parties and perused the record.

3. At the very outset, learned counsel for the petitioner would submit that the matter is squarely covered by the judgment dated 04.04.2024, passed by the Division Bench of this Court in Special Appeal No.245 of 2022, Managing Director,

Uttarakhand Transport Corporation, Dehradun and others vs. Ashok Kumar Saxena; and connected cases.

4. Learned counsel for the respondents admits this fact.

5. The matter is covered, therefore, instant petition is decided in terms of the judgment dated 04.04.2024, passed by the Division Bench of this Court in Special Appeal No.245 of 2022, Managing Director, Uttarakhand Transport Corporation, Dehradun and others vs. Ashok Kumar Saxena; and connected cases.