

(2023) 06 SHI CK 0007

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No.3449 Of 2023

Milap Chand

APPELLANT

Vs

Himachal Pradesh Tourism Development Corporation Ltd.
Though Its Managing Director And Another

RESPONDENT

Date of Decision : 12-06-2023

Acts Referred:

Citation : (2023) 06 SHI CK 0007

Hon'ble Judges : M.S. Ramachandra Rao, CJ;Ajay Mohan Goel, J

Bench : Division Bench

Advocate : Vinay Mehta, Naresh Kaul

Final Decision : Disposed Of

Judgement

M.S. Ramachandra Rao, CJ

1. Notice. Mr. Naresh Kaul, learned Counsel, accepts notice on behalf of the respondents.
2. The petitioner has approached this Court for a direction to the respondents for release of his retiral benefits, i.e. gratuity and leave encashment, which are due and payable to the petitioner w.e.f. 01.02.2022 alongwith interest thereon till its realization on account of delay in making payment.
3. Reliance has been placed by the petitioner upon the judgment passed by this Court in CWP No. 3545 of 2022, dated 05.07.2022, titled as Tek Chand vs. The Himachal Pradesh Tourism Development Corporation Ltd. and another.
4. Learned Counsel for the petitioner states that though the petitioner had retired on 31.01.2022, nothing has been paid towards gratuity and leave encashment.
5. In similar circumstances, we have passed orders in CWP No. 3411 of 2023, titled as Laxman Dass vs. Himachal Pradesh Tourism Development Corporation Ltd. and another, on 01.06.2023 and granted relief to the petitioner therein.

6. Therefore, for reasons alike, the respondents are directed to release the said benefits in favour of the petitioner with statutory interest, if any, within a period of three months from today, in accordance with law. If the amount due is not paid within the abovesaid period, the same shall carry interest @ 9% per annum till its realization.

7. The Writ Petition is disposed of in above terms, so also pending miscellaneous application(s), if any.