

(2021) 08 UK CK 0386

In the Uttarakhand High Court

Case No : Writ Petition (S/S) No. 1096 Of 2021

Mohd. Riyasat Khan

APPELLANT

Vs

Managing Director, Uttarakhand Transport Corporation &
Others

RESPONDENT

Date of Decision : 26-08-2021

Acts Referred:

Citation : (2021) 08 UK CK 0386

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Ganesh Kandpal, Ashish Joshi

Final Decision : Disposed Of

Judgement

Manoj K. Tiwari, J

1. Petitioner served as Senior Clerk in Uttarakhand Transport Corporation and he retired from service on 31.03.2020. Since the retiral dues have not

been released so far, therefore, petitioner has approached this Court seeking following relief:-

(i) a writ, order or direction in the nature of mandamus directing the respondents to release the entire amount of gratuity & leave encashment to the

petitioner with 12% interest.

2. Mr. Ashish Joshi, learned counsel appearing for respondents admits that that petitioner's retiral dues have not been released so far, due to

financial constraints, which the Corporation is facing at present. However, he assures the Court that the outstanding dues of the petitioner would be

cleared at the earliest as soon as the financial condition of the Corporation improves.

3. Having regard to the facts and circumstances of the case, the writ petition is disposed of with a direction to respondent no. 1 â" Managing

Director, Uttarakhand Transport Corporation to release a sum of ₹ 1,00,000/- in favour of the petitioner, within 30 days, which shall be adjusted in the

retiral dues to be paid to him. The remaining dues, including gratuity & leave encashment, shall be cleared as early as possible, but not later than six

months from the date of production of certified copy of this order.