

**(2008) 12 MP CK 0027**

**In the Madhya Pradesh High Court**

**Case No : Writ Petition No. 6128 of 2007 (S)**

Mohd. Shakil

APPELLANT

Vs

M.P. Road Transport Corporation

RESPONDENT

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**Date of Decision :** 18-12-2008

**Acts Referred:**

**Citation :** (2009) 120 FLR 910

**Hon'ble Judges :** Arun Mishra, J

**Bench :** Single Bench

**Advocate :** Anoop Shrivastava, for the Appellant; B.P. Pathak and P.K. Mishra, for the Respondent

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## **Judgement**

Arun Mishra, J.—Heard finally.

2. Petitioner's grievance is of non-payment of retiral dues. It is submitted that so far none of the retiral dues have been paid.

3. Learned Counsel for the respondents submits that at present, the financial condition of the respondent-Corporation is no good and it would be difficult on the part of the Corporation to pay the retiral benefits of the petitioner within a short span of time. Reasonable time be granted to pay the dues.

4. Learned Counsel for the parties placed reliance on a decision of this Court in W.P. No. 832/2001 (Arjun Singh v. MPSRTC and others) decided on 6.9.2001 wherein facility of installment was afforded following the decision rendered by the Apex Court in the case of AIR 2000 SC 3513a .

5. In the circumstances with respect to retiral dues only, it is directed that let the respondents settle the retiral dues of the petitioner by 15th January, 09 and payment be made in accordance with the following directions:--

(i) Let the amount of Provident fund be paid along with the permissible rate of interest within six months from today,

(ii) Other retiral dues be paid in monthly installments within a period of six months; the first installment to commence from 1st February, 09,

(iii) Non-interest bearing retiral dues have to be paid along with the rate of interest at rate of 7% per annum from the date of retirement till the payments are cleared.

(iv) The Corporation shall file compliance report every month supported by an affidavit before the Registry of this Court.

6. If there is any violation of the directions issued by this Court, Managing Director of MPRTC shall be held liable for committing contempt of this Court. It 1. AIR 2000 SC 3513a .is made clear that this Order is passed only with respect to retiral dues, no other dues can be claimed by petitioner under the guise of this Order.

7. Writ petition is disposed of with the above directions. Cost on parties.