
(1999) 04 AHC CK 0082
In the Allahabad High Court
Case No : Writ Petition No. 5644 (S/S) of 1998

Radhika Lal Srivastava

APPELLANT

Vs

State of U.P. and others

RESPONDENT

Date of Decision : 30-04-1999

Acts Referred:

Citation : (1999) 3 AWC 2287

Hon'ble Judges : S.L. Saraf, J

Bench : Single Bench

Judgement

S.L. Saraf, J.—The petitioner who was a Deputy Jailer retired from service on 31.8.1991. For the last eight years, he has not been given any retirement benefit. Inquiry proceedings or cases that have been filed against the petitioner, have also not been completed/concluded so far. Even if some enquiry has been concluded, no disciplinary proceedings have been taken against the petitioner. In that view of the matter, I direct the respondents authorities to pay all the post retirement benefits including pension, gratuity, leave encashment, provident fund amount, etc., within a period of three months from the date of service of a certified copy of this order on the authority concerned.

2. It is most unfortunate and it has been seriously noticed by this Court that in a number of cases, the post-retirement benefits of Government employees are withheld by the Department and the pension is not released for a quite long time on one pretext or the other. The Court feels that in all such cases if an inquiry has to be completed, the same must be done expeditiously, preferably within a period of six months from the date of retirement of the person concerned and the post retirement benefits should be given in any event by the end of one year from the date of retirement. In general cases, the retirement benefits should be given to the persons maximum within a period of two months from the date of retirement and all the procedures and formalities must be observed and concluded by the State Government within that span of time of two months. No retiring person should be made to suffer on account of laches on the part of the

Governmental bodies in not computing and fixing the various amounts in giving the retirement benefits to retiring employees. In all events, it must be completed within a period of two months and the retired employees must be paid the various amounts by way of post-retirement benefits within the said period.

3. So far as the employees against whom there is any charge or any enquiry is to be held, are concerned, in such matters, inquiry must be held and concluded within six months of the date of retirement and within six months thereafter all the retirement benefits, if found entitled to by the employee concerned, must be paid by the authorities concerned. In no circumstances, the Government Authorities should take a longer period than one year from the date of retirement. In other cases of the employees all over the State of U. P., the retirement benefits to the retiring employees should be given within a period of two months from the date of their retirement.

4. The matter stands disposed of.