

(2021) 11 RAJ CK 0033

In the Rajasthan High Court

Case No : S.B. Civil Writ Petition No. 15789 Of 2021

Ramniwas Chungal

APPELLANT

Vs

Rajasthan State Road Transport Corporation, Through Its
Managing Director And Others

RESPONDENT

Date of Decision : 17-11-2021

Acts Referred:

Citation : (2021) 11 RAJ CK 0033

Hon'ble Judges : Arun Bhansali, J

Bench : Single Bench

Advocate : Y.P. Khileree, Suniel Purohit

Final Decision : Disposed Of

Judgement

Arun Bhansali, J

It is submitted by learned counsel for the parties that the dispute raised in present writ petition has already been adjudicated by this Court in Daulat Ram Vs. Chairman & Managing Director, RSRTC & Ors. (S.B. Civil Writ Petition No.9687/2015, decided on 01.10.2015) and, therefore, the present writ petition may also be disposed of in light of the said judgment.

This Court, while deciding the case of Daulat Ram(supra), directed as under:-

"In this background, these writ petitions deserve to be and are hereby allowed. The respondent Corporations directed to reimburse the entire dues of all its retired employees under all heads including retiral benefits, overtime, night allowance, earned leave etc. within a period of six months. The due amount shall carry interest @ 6% p.a. from the date of accrual till the date of actual payment. The petitioners shall be at liberty to submit detailed representations to the concerned officers to settle the accounts and facilitate the assessment of dues at the earliest.

No order as to costs."

In view of above, this writ petition is also allowed in light of the judgment in case of Daulat Ram (supra) with the same directions, as quoted hereinbefore.

The above order shall be subject to following conditions:-

(i) While making the payment to the petitioner, respondent-Corporation shall take into account the corresponding seniority (on the basis of date of retirement) of all the retired employees.

(ii) In case, the respondents find petitioner's case as emergent, payment may be made to him, out of the seniority in terms of the order dated 30.03.2017, passed by Jaipur Bench of this Court in SBCWP No.9127/2016.

(iii) The respondents may defer payment of interest of gratuity for the time being, as observed in the proceedings dated 17.01.2020 in SBWCP No.992/2018.

The stay application also stands disposed of.