

(2024) 09 UK CK 0171

In the Uttarakhand High Court

Case No : Writ Petition No. 1864 Of 2024 (S/S)

Sunil Uniyal

APPELLANT

Vs

Uttarakhand Transport Corporation And Another

RESPONDENT

Date of Decision : 26-09-2024

Acts Referred:

Citation : (2024) 09 UK CK 0171

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : Kishore Kumar, Lalit Samant

Judgement

Ravindra Maithani, J

1. By means of the instant petition, the petitioner seeks the following reliefs:-

(i) Issue a writ order or direction in the nature of mandamus by calling the records and declared the impugned order 29.12.2021 (Annexure No.1) as arbitrary, illegal and against the provision of law and quash the same and further direct the respondents to forthwith release the amount of remaining Gratuity of Rs. 1,96,020.00 (Rupees One Lakh Ninety Six Thousand Twenty Only) along with interest admissible as per the Gratuity Act and pay the same to the petitioner after calling the entire records from the respondents in view of the judgment of Hon'ble Apex Court in the case of State of Punjab Vs. Rafiq Masih & others (2015) 4 SCC 334 and Judgment dated 114.06.2022 of this Hon'ble Court in the case of "Balam Singh Aswal Vs. Managing Director and others" in Writ Petition no.1593 of 2021 S/S and judgment and order dated 04.04.2024 passed in Special Appeal No.245 of 2022 "Managing Director, Uttarakhand Transport Corporation Vs. Ashok Kumar Saxena" and Judgment dated 29.12.2021 passed in writ petition no.1755 of 2024 "Lal Singh Vs. Uttarakhand Transport Corporation Dehradun and Ors" or in alternate pass any appropriate orders keeping in view of the facts highlighted in the body of the petition or mould the relief appropriately.

(ii) Issue any other suitable writ, order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case.

(iii) To award the cost of the writ petition in favour of the petitioner.

2. Heard learned counsel for the parties and perused the record.

3. At the very outset, learned counsel for the petitioner would submit that the matter is squarely covered by the judgment dated 04.04.2024, passed by the Division Bench of this Court in Special Appeal No.245 of 2022, Managing Director, Uttarakhand Transport Corporation, Dehradun and others vs. Ashok Kumar Saxena; and connected cases.

4. Learned counsel for the respondents admits this fact.

5. The matter is covered, therefore, instant petition is decided in terms of the judgment dated 04.04.2024, passed by the Division Bench of this Court in Special Appeal No.245 of 2022, Managing Director, Uttarakhand Transport Corporation, Dehradun and others vs. Ashok Kumar Saxena; and connected cases.