
(2021) 08 UK CK 0224

In the Uttarakhand High Court

Case No : Writ Petition (S/S) No. 1014 Of 2021

Suresh Chandra Tiwari

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 11-08-2021

Acts Referred:

Citation : (2021) 08 UK CK 0224

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : D.K. Bankoti, P.C. Bisht, Bhupendra Bisht

Final Decision : Disposed Of

Judgement

Ravindra Maithani, J

1. The petitioner claims the outstanding retiral dues total Rs. 10,72,508.2/- (gratuity Rs. 4,42,914/-, leave encashment Rs. 5,00,760/-, arrears of ACP

Rs. 26,914/-, arrears of 7th Pay Commission w.e.f. 01.01.2016 to 31.12.2016 Rs. 78,967.20/- and arrears of 7th Pay Commission w.e.f. 01.01.2017 to

30.09.2017 Rs. 52,749/-).

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

3. It is the case of the petitioner that having retired from the respondents department on 31.12.2019, the petitioner has yet not been paid his dues. It is

also submitted that in the petition of similar nature, the Court has passed orders directing the respondents to make payment of all the admissible dues.

Reference has been made to WPSS No.358 of 2021, Pushpa Devi vs. State of Uttarakhand and another, decided by this Court on 01.03.2021. It is

also submitted that the case is covered by the judgment of this Court dated 30.11.2015, passed in WPSB No.494 of 2015 and connected matters.

4. Learned counsel for respondent no.2 gives a statement that department admits the claims, but due to paucity of funds, the department needs some time to make payment.

5. In fact, this Court leaves the question of entertainability of such a writ petition in this Court in view of existence of the State Public Services

Tribunal, as constituted under the Uttar Pradesh Services (Tribunal) Act, 1976. The claim has been admitted. Hence, this Court is of the view that the matter may be decided accordingly.

6. In view of the submission made, the writ petition stands disposed of in terms of the order dated 30.11.2015 passed in Writ Petition (S/B) No.494 of 2015 and connected matters, by this Court.