

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (S/B) No. 179 of 2010

Nathi Singh Bisht.

..... Petitioner

Versus

State of Uttarakhand & others.

..... Respondents

Mr. Vijay Bhatt, Advocate for the petitioner.

Mr. K.P. Upadhyaya, Addl. Chief Standing Counsel for the State / respondents.

JUDGMENT

Coram: Hon'ble Barin Ghosh, C.J.

Hon'ble U.C. Dhyani, J.

BARIN GHOSH, C. J. (Oral)

Petitioner retired on 31st July, 2009. His retiral dues were not cleared, which compelled him to file the present writ petition. During the pendency of the writ petition, but after the expiry of approximately 14 months from the date of retirement of the petitioner, the retiral dues of the petitioner have been paid. While clearing the dues, no disputed question of fact or law cropped up. Therefore, there was no just reason for the delay.

2. In the circumstances, we dispose of the writ petition by directing the State to pay 4 per cent interest on such dues for a period of six months. Let the amount of interest be paid to the petitioner as quickly as possible, but not later than three months from today. It is made clear that it shall be open to the Government to recover the amount of interest from such person or persons, for whose default, the retiral dues of the petitioner remained unpaid.

(U.C. Dhyani, J.)
31.10.2011

(Barin Ghosh, C. J.)
31.10.2011

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