

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (S/B) No. 244 of 2010

Harkishan Singh.

..... Petitioner

Versus

Uttarakhand Seeds & Tarai Development
Corporation & others.

..... Respondents

Mr. B.D. Pande, Advocate for the petitioner.

Mr. Sanjay Raturi, Advocate holding brief of Mr. Rakesh Thapliyal, Advocate for respondent Nos. 1 & 2.

Mr. K.P. Upadhyaya, Addl. Chief Standing Counsel for the State / respondent No. 3.

JUDGMENT

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

Hon'ble U.C. Dhyani, J.

BARIN GHOSH, C. J. (Oral)

Petitioner retired on 31st May, 2008. Despite request made and all other efforts taken, post retiral dues of the petitioner were not cleared, which compelled the petitioner to file the present writ petition.

2. During the pendency of the writ petition, post retiral dues of the petitioner have been paid. Substantial part of such dues was paid on 27th October, 2010 in Court. Petitioner pointed out that he is still entitled to obtain some more money. As a result, the last payment was made again on 1st December, 2010 in Court. While those payments were made, no disputed question of fact or law was raised. The said state of affair clearly suggests that there was no just reason for delay in releasing the post retiral dues and claims of the petitioner.

3. We, accordingly, dispose of the writ petition by directing the respondents employer to pay 4 per cent interest on the amounts paid for a period of one year. Let the interest be paid as quickly as possible, but not later than three months from today.

(U.C. Dhyani, J.)

31.10.2011

(Barin Ghosh, C. J.)

31.10.2011