

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 14050/2019

Balveer Singh S/o Shri Bijendra Pal Singh, Aged About 63 Years,
R/o K-1, Vishnu Vihar Colony, Village And Post Office Dab Ki
Kala, Via Lashkar, District Haridwar (Uttarakhand) Retired As
Conductor, Lohagarh Depot, Rsrtc, Bharatpur.

----Petitioner

Versus

1. The Chairman, Rajasthan State Road Transport Corporation, Parivahan Marg, Jaipur.
2. The Managing Director, Rajasthan State Road Transport Corporation, Parivahan Marg, Jaipur.
3. The Chief Manager, Rsrtc, Lohagarh Depot, Bharatpur.

----Respondents

For Petitioner(s)	:	Mr. J.K. Sharma.
For Respondent(s)	:	Mr. Vinayak Joshi.

HON'BLE MR. JUSTICE INDERJEET SINGH

Order

30/09/2019

Counsel for the petitioner submits that the petitioner has not been released the benefits of gratuity, earned leave, revision of pay scale.

Counsel submits that the similar controversy has been decided by this Court in **S.B. Civil Writ Petition No. 11474/2019 (Bhori Lal Meena Vs. RSRTC)** dt. 26th July, 2019.

The order passed by the Co-ordinate Bench of this Court in the case of **Bhori Lal Meena Vs. RSRTC** (supra) is reproduced hereunder:-

"Counsel for the petitioner submits that direction may be given to the respondent-Corporation to release the payment of Gratuity, Earned Leave, Benefit of Fifth and Sixth Pay Commission and Consequential Benefits to the petitioner along with the interest @ 6% per annum.

Counsel for the petitioner submits that this Court in the case of **Prahlad Singh Vs. Managing Director, R.S.R.T.C.** in **S.B. Civil Writ Petition No. 14748/2014** and further in **S.B. Civil Contempt Petition No. 1500/2016 (Shankar Lal Choudhary Vs. Shree Rajesh Yadav & Ors.)** decided on 6th July, 2018, has given direction to the Corporation to make payment to the employees as per their date of retirement.

Counsel for the petitioner submits that this Court has already held that the respondent-Corporation will keep in mind the date of retirement of those who are seniors or those who have superannuated earlier will be given priority in phased manner for their post retiral benefits.

Learned counsel for the respondent-Corporation submits that the Corporation is following the directions given by this Court in the case of **Prahlad Singh Vs. Managing Director, R.S.R.T.C.** (supra) & further in the case of **Shankar Lal Choudhary Vs. Shree Rajesh Yadav & Ors. (supra)**. The Corporation will undertake the necessary exercise of making payment to the petitioner as per his seniority and entitlement.

This Court disposes of the present writ petition with an observation that RSRTC will take up the case of the petitioner for considering to grant him post retiral benefits as per date of retirement and as per scheme framed by this Court.

This Court deems it proper to direct the RSRTC Corporation that due payment to the petitioner, will immediately be made as and when his turn comes for considering grant of such benefits.

Accordingly, the present writ petition stands disposed of."

Counsel for the respondents-Mr. Vinayak Joshi Adv. submits that the Corporation will take the necessary action of making payment to the petitioner as per seniority and entitlement.

This Court disposes of the present writ petition, by giving direction to the respondent-Corporation that due payment to the petitioner will immediately be made as and when his turn comes for grant of considering such benefits.

Accordingly, the present writ petition stands disposed of.

(INDERJEET SINGH),J

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RAJASTHAN HIGH COURT



सत्यमेव जयते