

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA
ON THE 30th DAY OF NOVEMBER, 2021
BEFORE
HON'BLE MS. JUSTICE SABINA
&
HON'BLE MR. JUSTICE SATYEN VAIDYA

CIVIL WRIT PETITION No. 6582 of 2021

Between:-

MANOHAR LAL,
S/O SHRI BANGALI RAM,
(RTD INSPT.), R/O VILL. BAGOAN,
P.O. PANJGAIN, TEHSIL SADAR,
DISTRICT BILASPUR, H.P.
AGED 59 YEARS.

.....PETITIONER

(BY SH. H.S. RANGRA, ADVOCATE)

AND

1. HIMACHAL ROAD TRANSPORT CORPORATION THROUGH ITS MANAGING DIRECTOR, SHIMLA-3, H.P.
2. REGIONAL MANAGER, HIMACHAL ROAD TRANSPORT CORPORATION, SUNDER NAGAR, DISTRICT MANDI, H.P.
3. THE FINANCIAL ADVISOR-CUM-CAO, HRTC, HEAD OFFICE, SHIMLA-3, H.P.

.....RESPONDENTS

(BY MS. SHUBH MAHAJAN,
ADVOCATE)

This petition coming on for admission this day, Hon'ble Ms. Justice Sabina, passed the following:

ORDER

Petitioner has filed this writ petition mainly with the following relief:

- "i) That the direction may kindly be issued to the respondents corporation to pay the amount of GPF, gratuity (DCRG), pension, commuted value of pension and leave encashment alongwith interest @ 18% per annum to the petitioner with effect from due date 1.12.2020 i.e. till the date of its realization.*
- ii) That the direction may kindly be issued to the respondents corporation to pay interest @ 18% per annum on the amount of GPF with effect from 1.12.2020 to the date of its realization."*

2. After hearing learned counsel for the parties, we are of the opinion that this petition is liable to be disposed of in terms of the decision given in CWP No.4321 of 2021, titled *Moti Lal Sharma versus Himachal Road Transport Corporation and another and connected matter*, decided on 29.11.2021. The operative part of the said order reads as under:-

"5. We are, therefore, persuaded to dispose of these writ petitions with a direction to the respondents to pay the petitioners the gratuity with actual rate of

interest as per applicable rules, till the time of actual payment. Apart from that, the respondents shall also pay to the petitioners the due statutory benefits, other retiral benefits and amount of leave encashment alongwith applicable interest, all of which, shall be paid to them within a period of six months from today. The due amount of payment, if delayed beyond six months, it shall be paid with interest at the rate of 9% per annum till the date of its actual payment.”

3. Accordingly, this petition is disposed of with a direction to the respondents to pay the entire due retiral benefits to the petitioner strictly in terms of the directions given in the aforesaid order dated 29.11.2021, passed in CWP No.4321 of 2021, within a period of six months from today.

(Sabina)
Judge

(Satyen Vaidya)
Judge

November 30, 2021
(Himalvi)