

Court No. - 33

Case :- WRIT - A No. - 17872 of 2023

Petitioner :- Balbeer

Respondent :- State of U.P. and others

Counsel for Petitioner :- Ashutosh Kumar Tripathi, Rajeev Singh

Counsel for Respondent :- C.S.C., Harsh Vardhan Gupta

Hon'ble J.J. Munir,J.

(Order on the Writ Petition)

In compliance with the order dated 0.11.2023, the Apar Nagar Ayukt, Nagar Nigam, Mathura-Vrindavan, Mathura has filed an affidavit in Court today.

2. Mr. Harsh Vardhan Gupta, learned Counsel appearing for the Nagar Nigam, points out that in paragraph Nos. 5 and 6, details of payment have been given. It is averred in paragraph Nos. 5 and 6 of the affidavit as follows :

5. That Provident Fund amounting to Rs. 1,36,940/- was paid to the petitioner on 29.07.2022 by the answering respondent department.

The earned leave encashment amounting to Rs. 4,87,760/- was paid to the petitioner on 31.08.2022.

The Group Insurance amounting to Rs. 10,203/- was paid to the petitioner on 27.12.2022.

The A.C.P. arrears amounting to Rs. 30,561/-, 30,561/- and 30,561/- (total Rs. 91,683/-) was paid to the petitioner on 14.02.2022, 26.11.2022 and 17.03.2023 respectively, by the answering respondent department.

In view of the above total amount of Rs. 7,26,586/- was paid to the petitioner under the head of Provident Fund (Rs. 1,36,940/-), earned leave encashment (Rs. 4,87,760/-), Group Insurance (Rs. 10,203) and A.C.P. arrears (Rs. 91,683/-). A true/ photostat copy of the office notes in this regard are annexed herewith and are collectively marked as **Annexure No. 1** to this affidavit.

6. That besides the above noted amount, the following amount has been paid to the petitioner towards arrears of pension, gratuity and leave encashment:-

i. Arrears of pension for five months from 01.09.2022 to 31.01.2023		Rs. 1,35,240/-
ii. Total Gratuity	Rs. 8,11,440/-	
(-) Rent of accommodation	Rs. 1,59,021	
	<u>Rs. 6,52,419/-</u>	Rs. 6,52,419/-
iii. Earned Leave Encashment	Rs. 5,40,960/-	
(-) Leave encashment earlier paid	Rs. 4,87,760/-	
	<u>Rs. 53,200/-</u>	Rs. 53,200/-
<u>TOTAL AMOUNT</u>		Rs. 8,40,859/-
(-) Gratuity already paid		Rs. 1,00,000/-
<u>BALANCE AMOUNT PAID</u>		<u>Rs. 7,40,859/-</u>

A true photostat copy of the note sheet dated 24.02.2023 showing calculation of aforesaid amount of Rs. 8,40,859/- and payment advice report in this regard are annexed herewith and are collectively marked as **Annexure No. 2** to this affidavit.

3. Payment Advice Report, called PFMS Generated DSC Transaction Payment Advice Report, has also been shown to this Court by Mr. Gupta, which is annexed as Annexure No. 2 to the counter affidavit filed today. It shows that a sum of Rs. 7,40,859/- has been transferred to the petitioner's account on 06.11.2023.

4. Learned Counsel for the petitioner acknowledges the fact that the petitioner has received all his dues.

5. In this view of the matter, no further orders are required to be passed on the writ petition. It is, accordingly, **consigned to records**.

(Order on Civil Misc. Stay Application No. 1 of 2023)

Disposed of.

2. For orders, see my order of date passed on the writ petition.

Order Date :- 8.11.2023

I. Batabyal