Court No. - 10

Case :- WRIT - A No. - 18899 of 2023

Petitioner :- Ram Kumar Gupta
Respondent :- State Of U.P. And 5 Others
Counsel for Petitioner :- Navin Kumar
Counsel for Respondent :- CSC,Manoj Kumar Singh

Hon'ble Kshitij Shailendra,J.

1. Heard Shri Navin Kumar, learned counsel for the petitioner, learned Standing Counsel for respondent Nos. 1 to 4 and Shri Manoj Kumar Singh, learned counsel for respondent Nos. 5 and 6.

2. The petitioner has retired from his post on 31.12.2022, i.e. about one year ago, and his grievance is that despite successive applications dated 21.03.2023, 14.07.2023 and 04.09.2023, the post retiral benefits have not been released.

3. Shri Manoj Kumar Singh, learned counsel for respondent Nos. 5 and 6 submits that the calculation of post retiral benefits consumes some time and there is a very short delay since when the petitioner has retired.

4. This Court in the case of ***Mukti Nath Rai Vs. State of U.P. (through the Superintending Engineer, P.W.D.) and others***: (1992) 2 AWC 644 and recently in the case of **Ram Kumar vs State of U.P. and another** passed in Writ A No. 12283 of 2023 decided on 22.08.2023 has held that withholding of post retiral benefits for indefinite period of time would be wholly unjustified and improper and a direction has been issued to State Government to issue circular to all the departments to settle all such claims with most expedition.

5. The writ petition is **disposed of** directing the respondent No. 5, Executive Officer, Nagar Palika Parishad Khurja, district Bulandshahr to release the post retiral benefits that are admissible to the services of the petitioner **on or before 28.02.2024** along with interest from the date the same fell due till the date of actual payment.

6. In case, certain benefits are not found to be payable, specific order shall be passed in this regard within the same period of time, provided a certified copy of this order is produced before respondent No. 5 **by the end of November, 2023**.

Order Date :- 8.11.2023

Sazia

Digitally signed by :-
SAZIA AQUIL
High Court of Judicature at Allahabad