

Court No. - 35

Case :- WRIT - A No. - 19364 of 2023

Petitioner :- Vijay Narayan Tiwari

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Ram Lal Mishra,Ashma Dwivedi

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

Heard Shri Ram Lal Mishra, learned counsel for the writ petitioner and Shri Santosh Kumar Shukla, learned Standing Counsel who appears for the respondents.

The case of the writ petitioner is that he retired as a head clerk from Mahila Post Graduate College Harriya, Basti, U.P. on 28.02.2006, he knock the doors of this Court while filing Writ A No. 51847 of 2017 which came to be decided on 03.04.2019 thereafter as per the writ petitioner in the year 2017 by virtue of the order dated 30.01.2017, he was paid GPF and gratuity but 6 % interest which is admissible to the same on account of the delay attributable to the respondents would not be extended.

Prayer in the present petition is for payment of interest on delayed payment.

Learned Additional Chief Standing Counsel who appears for the respondents submits that the issue with regard to payment of delay is an issue which needs determination with regard to the liability and the fault of either of the parties and computation, thus according to him, the second respondent be directed to take a decision in this regard.

Considering the submissions of the rival parties as well as stand

taken by them, the writ petition is being disposed off without seeking any response from the respondents granting liberty to the writ petitioner to prefer a comprehensive representation along with the self-attested copy of the writ petition before the second respondent, who shall on the receipt of the same, proceed to decide the claim of the petitioner with respect to interest component and also the fault of either of the parties. The said exercise has been taken within a period of 6 weeks from the date of presentation of the certified copy of the order.

With the aforesaid observation, the writ petition is **disposed off**.

Order Date :- 1.12.2023

A. Prajapati