

Court No. - 7

Case :- WRIT - A No. - 9598 of 2023

Petitioner :- Naresh Chandra Jaiswal

Respondent :- U.P. Avas Evam Vikas Parishad Lko Thru Housing Commissioner And 2 Others

Counsel for Petitioner :- Virendra Kumar Dubey

Counsel for Respondent :- Sampurna Nand Shukla

Hon'ble Abdul Moin,J.

Heard learned counsel for the petitioner and Shri Pankah Shukla, Advocate, holding brief of Shri Sampurna Nand Shukla, learned counsel for the respondents.

With the consent of learned counsel appearing for the contesting parties, the writ petition is being finally decided.

The instant writ petition has been filed praying for the following main relief:

"(i) to issue writ, order or direction in the nature of mandamus directing and commanding the opposite parties to make the payment of interest on delayed payment of G.P.F. made after expiry of 13 months and delayed payment of Gratuity made after expire 4 and 1/2 years at market reate within some reasonable time."

The contention of learned counsel for the petitioner is that despite the petitioner having retired on attaining the age of superannuation on 30.11.2018 his gratuity has only been paid on 05.06.2023 and hence it is claimed that the respondents are liable to pay interest on the delayed payment of gratuity.

After arguing the matter at some length, learned counsel for the petitioner submits that with regard to the reliefs sought in the writ petition, the petitioner may be permitted to submit a fresh representation before the respondent no.2 i.e. Additional Housing Commissioner and Secretary, U.P. Avas Evam Vikas Parishad, Lucknow which may be directed to be decided within a time frame fixed by this Court to which learned Counsel for the respondents has no objection.

In view of the above, it is provided that in case the petitioner submits a representation within two weeks from today before respondent no.2 then respondent no.2 shall endeavour to decide the same by means of a reasoned and speaking order in accordance with law and the relevant rules within a further period of six weeks from the date of submission of the representation along with certified copy of this order.

With the aforesaid direction, writ petition is **disposed of**.

It is made clear that this Court has not gone into the merits of the claim set forth by the petitioner.

Order Date :- 16.12.2023

J.K. Dinkar