Court No. - 19

Case :- WRIT - A No. - 9770 of 2023

Petitioner :- Mohd. Nafees Khan
Respondent :- Union Of India Thru. Secy. Deptt. Of Telecommunication Ministry Of Communications And 2 Others
Counsel for Petitioner :- Saurabh Yadava,Divya,Hema Singh,Poonam Maurya
Counsel for Respondent :- A.S.G.I.,Satya Prakash Tiwari

Hon'ble Jaspreet Singh,J.

Heard learned counsel for the petitioner.

Notice on behalf of the respondent no. 1 has been accepted by Shri Anand Dwivedi, learned counsel. Ms. Nidhi Singh, learned counsel appearing under the authority of Shri Satya Prakash Tiwari for the respondents no. 2 and 3.

Learned counsel for the petitioner, at the very outset, submits that inadvertently in the prayer as well as in Para No. 3, the amount as claimed has incorrectly been mentioned. Therefore, he seeks indulgence of this Court to permit him to amend the same.

The oral request of the learned counsel for the petitioner is allowed.

Learned counsel for the petitioner shall carry out necessary amendments in the prayer as well as in Para No. 3 of the petition during course of the day.

The instant petition has been preferred seeking a writ in the nature of mandamus commanding the opposite parties to pay the admitted total amount of retiral dues of Rs. 3,20,870/- which is privileged leave encashment and interest for the delayed payment.

Learned counsel for the petitioner submits that this issue was escalated before the Department. Despite the same, no action has been taken. Apart from the fact that upon an RTI enquiry, it was informed that insofar as the petitioner is concerned, there is an outstanding of Rs.3,20,870/- and as such, there is no dispute regarding the payment which the respondents are not clearing.

Having considered the limited issue involved in the instant writ

petition, this Court is not inclined to keep the matter pending and is of the opinion that ends of justice can be made by directing the respondents no. 2 and 3 to ensure that the admitted amount along with interest for delayed payment which is outstanding applicable to the petitioner is released, unless there is any other legal impediment preferably, within a period of six weeks as per rules, from the date a certified copy of this order is placed before the authority concerned.

It is made clear that the Court has not examined the case of the petitioner on merit and the authority shall take a decision strictly in accordance with law.

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

Order Date :- 19.12.2023
Asheesh

Digitally signed by :-
ASHEESH KUMAR
High Court of Judicature at Allahabad,
Lucknow Bench