

GAHC010030462024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/870/2024

ANIL KUMAR
S/O- LATE BHUMIDHAR KUMAR, R/O- NILACHAL HOUSING COLONY, F6,
LIG, BHETAPARA, P.S- HATIGAON, DIST- KAMRUP (M), ASSAM

VERSUS

THE ASSAM STATE HOUSING BOARD AND 2 ORS
REP. BY ITS COMMISSIONER R G BARUAH ROAD, GUWAHATI- 05

2:THE CHAIRMAN
ASSAM STATE HOUSING BOARD
R G BARUAH ROAD
GUWAHATI- 5

3:THE COMMISSIONER
ASSAM STATE HOUSING BOARD
R G BARUAH ROAD
GHY-

Advocate for the Petitioner : MR. S BORA

Advocate for the Respondent : SC, A S H B

BEFORE
HON'BLE MR. JUSTICE KARDAK ETE

O R D E R

30.05.2024.

Heard Mr. S. Bora, learned counsel for the petitioner. Also heard Mr. T.R. Gogoi, learned Standing Counsel, Assam State Housing Board appearing for the respondent Nos.1, 2 & 3.

2. By filing this application, the petitioner has prayed for a direction to the respondent authorities to release his outstanding retirement benefits for an amount of Rs.6,93,858/- (Rupees six lakh ninety three thousand eight hundred fifty eight) only, with interest @ 12% p.a., till the release of entire amount from the date of his retirement.

3. The petitioner who was working as Superintendent (A) under the Assam State Housing Board, Guwahati had retired from the service on 31.08.2022. The respondent authorities are yet to release the retirement benefit of Rs.2,51,000/- (Rupees two lakh fifty one thousand) only against the gratuity amount and Rs.4,42,858/- (Rupees four lakh forty two thousand eight hundred fifty eight) only against the unutilized leave credit of 298 days. The petitioner submits that a total amount of Rs.6,93,858/- is still due and has not been released to the Writ Petitioner by the respondent authorities, despite several representations. Therefore, he prays for a direction to release the aforesaid amount with interest.

4. The respondents have filed affidavit and admitted the aforesaid amount of Rs.6,93,858/-. However, it is stated that the aforesaid amount may be allowed to release on equal monthly installment basis, for one year with initial payment of Rs.93,000/- (Rupees ninety three thousand).

5. Having considered that the respondents have admitted the amount of Rs.6,93,858/- (Rupees six lakh ninety three thousand eight hundred fifty eight) only, which is entitled to the petitioner and as agreed to by and on consent of learned counsel for the parties, this Writ Petition is disposed of with a direction

to the respondent authorities to release/pay the amount of Rs.6,93,858/- (Rupees six lakh ninety three thousand eight hundred fifty eight) only, along with interest @ 7% p.a., from the date of this order, in ten (10) equal monthly installments, commencing from the month of June, 2024.

6. The petitioner shall submit the details of his Bank Account to the respondents, within a week and the amount, as above directed, shall be paid in the account of the petitioner.

7. With above observation and directions, the Writ Petition stands allowed and disposed of.

JUDGE

Comparing Assistant