



2024:UHC:9119-DB

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
	06.12.2024		<u>WPSB/ 741/ 2024</u> <u>HON'BLE MANOJ KUMAR TIWARI, A.C.J.</u> <u>HON'BLE VIVEK BHARTI SHARMA, J.</u> Mr. Abhivadya Sood and Mr. Sachin Panwar, learned counsel for petitioner. 2. Mr. Subhang Dobhal, learned counsel for respondents. 3. Petitioner was appointed as Assistant Professor in Shri Guru Ram Rai Institute of Medical & Health Sciences, Patel Nagar, Dehradun w.e.f. 18.12.2010. Thereafter, he was promoted as Associate Professor in the same Institute w.e.f. 04.06.2015. Lastly, petitioner was promoted as Professor w.e.f. 04.12.2018. Petitioner resigned from the post of Professor on 14.11.2022. 4. By means of this writ petition, petitioner has sought the following reliefs:- “i) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondents authorities to release the terminal benefits of the petitioner along with all consequential service benefits at the rate of 18 per cent interest w.e.f. 03.12.2022,



			amounting to Rs. 11,28,846/- (Rupees Eleven Lakhs Twenty Eight Thousand Eight Hundred and Forty Six) in addition to the admissible Earned Leave from the date of accrual till its actual realization which is due from the instant respondent management as non releasing the same is arbitrarily, erroneous and wholly illegal. ii) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondents to pay litigation expenses and mental agony on account of the delay in non releasing the otherwise legitimate dues of the instant petitioner as this Hon'ble Court may deem fit. iii) Issue any other writ, order or direction, which this Hon'ble Court may deem fit and proper under the facts and circumstance of the case. iv) Award the cost of the petition to the petitioner.” 5. Learned counsel for petitioner submits that petitioner has not been paid terminal benefits, including leave encashment, salary amounting to Rs. 3,05,000/- and gratuity, despite repeated requests. 6. Mr. Shubhang Dobhal, learned counsel appearing for the Institute, fairly submits that if petitioner makes a representation for releasing his
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outstanding dues within two weeks from today, respondent No. 1 shall take a decision thereupon, as per law, within six weeks thereafter.

7. In view of the statement made by learned counsel for respondents, we dispose of this writ petition by permitting petitioner to make a representation. If petitioner makes a representation for releasing his outstanding dues within two weeks from today, respondent No. 1 shall take a decision thereupon, as per law, within six weeks thereafter.

(Vivek Bharti Sharma, J.)

(Manoj Kumar Tiwari, ACJ)

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