

Court No. - 4

Case :- WRIT - A No. - 12559 of 2024

Petitioner :- Shyamlali

Respondent :- Union Of India Thru. Secy. Ministry Of Communication, New Delhi And 2 Others

Counsel for Petitioner :- Anil Kumar Yadav

Counsel for Respondent :- A.S.G.I., Nidhi Singh

Hon'ble Rajnish Kumar,J.

1. Heard Shri Anil Kumar Yadav, learned counsel for petitioner, Shri Anand Dwivedi, learned counsel for opposite party no.1, and Nidhi Singh, learned counsel for opposite parties no.2 and 3.

2. With the consent of the parties, the matter is being decided finally.

3. Contention of the learned counsel for the petitioner is that the petitioner is widow of the employee, who was working under Respondent No.3 and has died subsequent to his retirement. However, privileged leave encashment due to the husband of the petitioner has been paid subsequently and it is prayed that the petitioner is entitled to be paid interest on delayed payment @ 7% per annum.

4. It is submitted that petitioner's case is covered by judgment rendered by Co-ordinate Bench of this Court in **Writ A No. 2075 of 2023, Ashok Kumar Shukla versus Union of India and others** decided vide judgment and order dated 3rd March, 2023 and was upheld in **Special Appeal (Defective) No. 72 of 2024** vide judgment and order dated 6th February, 2024 as well as by Hon'ble Supreme Court in **S.L.P. No. 7939 of 2024** decided vide judgment and order dated 8th April, 2024.

5. Considering the aforesaid aspects, the opposite parties are directed to take a final decision with regard to payment of aforesaid benefits in the light of judgment rendered by this Court in the case of **Ashok Kumar Shukla (supra)**, in case same is applicable. Final decision shall be taken within a period of six weeks from the date a certified copy of this order is produced before the said authority. In case petitioner is found entitled for the aforesaid benefits, actual payment thereof shall be ensured within a period of six weeks thereafter.

6. With the aforesaid directions, the writ petition stands **disposed of**.

Order Date :-20.12.2024/Raj

