



2025:JHC-1 K0389854

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - A No. - 14485 of 2025

Masood Akhter Khan

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Deptt. Technical
Education And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Abhishek Singh, Talha Syed
Counsel for Respondent(s)	:	C.S.C., R.B.S. Rathaur

Court No. - 18

HON'BLE SHREE PRAKASH SINGH, J.

Heard learned counsel for the petitioner, Mr. Pradeep Kumaar Singh, learned Additional Chief Standing Counsel for the State and Mr. Anurag Singh, Advocate holding brief of Mr. R. B.S. Rathaur, learned counsel for the respondent no.5.

Present petition has been filed with the following prayers:-

"i. to issue a writ, order or direction in the nature of Mandamus commanding the respondents to pay interest at the rate of 12% per annum on the delayed payment of gratuity and other retiral dues amounting to ₹42,92,097/-, for the period commencing from the date of the petitioner's retirement i.e., 30.06.2023 till the date of actual payment i.e., 23.12.2024.

ii. to issue a writ, order or direction in the nature of Mandamus commanding the respondents to pay interest at the rate of 12% per annum on the delayed payment of the petitioner's GPF amount i.e., ₹41,16,086/-, for the period commencing from the date of the petitioner's retirement i.e., 30.06.2023 till the date of actual payment i.e., 04.11.2025."

Learned counsel for the petitioner submitted that the petitioner has already filed Writ-A No.6370 of 2024 wherein following order was passed on 12.8.2024:-

"1. Heard learned counsel for petitioner, learned State Counsel for opposite parties 1

to 4 & 6. In view of order being passed in this petition, notices to opposite party no.5 stand dispensed with.

2. Petition has been filed seeking a direction to authority concerned for payment of General Provident Fund and Gratuity along with interest, Pension and other admissible post retirement dues of petitioner in view of fact that petitioner has superannuated on 30.06.2023 and aforesaid claims have not yet been paid although there is no enquiry pending against petitioner. It has been submitted that General Provident Fund has already been sanctioned to petitioner vide order dated 20.10.2023 by the Director, Technical Education, U.P.

3. For the said grievance, petitioner has already submitted a representation but seeks liberty to file a fresh representation before the authority concerned. At present, learned counsel for petitioner restricts prayer with regard to final decision on the same.

4. Considering the innocuous prayer, without entering into merits, liberty is granted to petitioner to file a fresh representation before opposite party no. 3 and 6, who shall conjointly consider and decide the same within a period of six weeks from the date a certified copy of this order is produced before the said authority along with fresh representation. In case petitioner is found entitled for aforesaid benefits, actual payment thereof shall be ensured within a period of six weeks thereafter.

5. With aforesaid observations and directions, the petition is finally disposed of."

He submits that after the aforesaid order was passed, the petitioner represented before the authority concerned and the retiral dues have been paid to the petitioner but grievance of the petitioner is that interest on the delayed payment of retiral dues have not been paid.

Learned counsel for the respondents has refuted the aforesaid contention.

Be that as it may, the petitioner is directed to move fresh claim for interest on the delayed payment of retiral dues before the respondent no.3/Joint Director, Technical Education (Middle Range), Lucknow, within a period of 15 days and if such claim is raised, the respondent no.3 is directed to consider and decide the same in accordance with law within further period of

eight weeks.

With the aforesaid observations, present writ petition is hereby **disposed of**.

(Shree Prakash Singh,J.)

December 16, 2025
Ram Murti