

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

RP No. 42/2026 in
WP(C) No. 2086/2024

Anil Gupta and Anr.

.... Petitioner(s)

Through:- Ms. Shivani Jalali, Sr. Advocate with
Ms. Anjana Rana, Advocate.

V/s

UT of J&K & Ors.

.....Respondent(s)

Through:- Mr. P. D. Singh, Dy. AG.

CORAM : HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER
20.07.2026

1. Heard learned Senior Counsel appearing for the petitioners and learned Deputy Advocate General appearing for the official respondents at length.
2. Notice is waived by Mr. P. D. Singh, learned Deputy Advocate General, on behalf of the official respondents.
3. The sole grievance raised by the petitioners is that, due to an inadvertent omission, this Court did not award interest on the delayed payment of gratuity and leave encashment. It is further contended that no direction was issued regarding the release of the arrears arising out of the implementation of the 6th Pay Commission, despite the fact that the petitioners had sought the said reliefs.
4. Having perused the judgment dated 03.07.2026, this Court is of the considered view that there is an error apparent on the face of the record. Inadvertently, no direction came to be issued regarding the payment of the arrears of the 6th Pay Commission. Further, the question of the petitioners' entitlement to interest on the delayed payment of gratuity and leave encashment also remained unaddressed as the gratuity and leave encashment were released during pendency of writ petition. The said omissions deserve to be rectified in exercise of the review jurisdiction.

5. The operative portion of the judgment dated 03.07.2026 (para 08) is reproduced as under:

“Accordingly, the writ petition is disposed of by directing respondent No. 5 to release the CP fund amount alongwith applicable interest only in favour of the petitioners within a period of three months from the date of receipt of this order.”

6. In view of the above, paragraph 8 of the judgment shall stand modified and shall now be read as under:

“Accordingly, the writ petition is disposed of by directing respondent No. 5 to release the CP fund amount, along with the applicable interest only, in favour of the petitioners within a period of three months from the date of receipt of a copy of this order.

Further, the respondents shall calculate the payment of interest at the rate of 6% per annum on the delayed payment of gratuity and leave encashment from the due date for its release till the date of the payment and pay the same to the petitioners within the aforesaid period. The respondents shall also release the arrears of the 6th Pay Commission, along with interest at the rate of 6% per annum from the date, the said arrears became due till the date of their actual payment, within the aforesaid period.

6. The review petition is, accordingly, **disposed of** along with all connected applications, if any.

(Rajnish Oswal)
Judge

JAMMU
20.07.2026
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