



HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY

18th May, 2026

Special Appeal No. 101 of 2026

Nain Singh Negi

-----Appellant

Versus

State of Uttarakhand and others

-----Respondents

Presence:-

Ms. Anupriya Kukreti, learned counsel for the petitioner.
Mr. Amrendra Pratap Singh, learned Additional Advocate General,
assisted by Mr. B.S.Parihar, learned Additional Chief Standing Counsel
assisted by Mr. J.C.Pande, learned Standing Counsel for the State.

JUDGMENT: (per Manoj Kumar Gupta, C.J.)

1. The present *intra court* appeal has been filed against the order of learned Single Judge dated 12.03.2026 in WPSS No. 621 of 2026, by which, the writ petition filed by the appellant claiming retiral dues was disposed of taking note of the fact that Rs. 24,95,853/- has already been released by the Department under various heads including gratuity and leave encashment in favour of the appellant. The respondents were directed to clear the remaining dues of the appellant, as early as possible.

2. On 29.04.2026, the following order was



passed:

- “1. Ms. Anupriya Kukreti, learned counsel for the appellant.*
- 2. Mr. J.C.Pande, learned Standing Counsel for the State/respondents no. 1 to 3.*
- 3. Ms. Seema Sah, learned counsel for the respondent no.4.*
- 4. The entire retiral dues of the petitioner (appellant-herein), have not been cleared so far except paying a sum of Rs. 24,95,853/-*
- 5. Learned counsel for the appellant submits that in the order of learned Single Judge, there is no direction as regards time frame, within which the remaining amount of retiral dues has to be paid to the appellant.*
- 6. Mr. J.C.Pande, learned Standing Counsel appearing for the State contends that payment has not been made because of paucity of funds. He is unable to disclose any timeline, within which the remaining amount would be paid to the appellant.*
- 7. List on 13.05.2026.*
- 8. In case, the payment is not made by the next date, the concerned Principal Secretary shall remain present before this Court to explain why the remaining retiral dues are not being paid, as paucity of fund, in our opinion, cannot come to the defence of the respondents for indefinite period, the petitioner having retired on 31st October, 2019.*
- 9. Learned State Counsel shall communicate the instant order to the concerned Secretary for immediate compliance.”*

3. Thereafter, the respondents have paid a further sum of Rs.4,02,920/-to the appellant on 12.05.2026.

4. Counsel for the appellant submits that some amount of retiral benefits are still due, which have not



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been paid.

5. Having regard to the said stand of the appellant, we permit the appellant to file a representation along with true copy of the instant order stating the amount which accordingly to him is still due and payable. The concerned respondent shall examine the same and pass a speaking order, and in case, it is found that any amount remains un-paid, the same shall be paid to the appellant positively within next four weeks.

6. The appeal stands disposed of.

7. Pending application, if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C.J.)

(SUBHASH UPADHYAY, J.)

Dated: 18.05.2026
Kaushal