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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 3935/2016

ONKAR SINGH Petitioner

Through: Ms. Saahila Lamba, Advocate

versus

UNION OF INDIA AND ORS Respondents

Through: Mr. Rajan Sabharwal, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **23.05.2016**

1. This order is in continuation of the order dated 16th May, 2016, on which date learned counsel for the petitioner was directed to verify the status of the money, if any, received by the petitioner towards pension. Further, the respondents were directed to release forthwith a sum of Rs.21,870/- that was admittedly payable to the petitioner.

2. Learned counsels for the parties confirm today that the sum of Rs.21,870/- has been paid to the petitioner. As for his pension, learned counsel for the petitioner states that no amount has been credited in the petitioner's account towards pension payable from 08.12.2015 till 19.05.2016, the date when his passbook was last got updated from his bank.

3. Learned counsel for the respondents states on instructions that there was some discrepancy in the pay fixation of the petitioner by the accounts department, which was finally resolved on 8th February, 2016 whereafter the entire process was finally completed and a written intimation regarding release of pension was dispatched by the department on 13th May, 2016 to the petitioner's banker's head office i.e. State Bank of India.

4. Records reveal that the present petition was filed by the petitioner on 3rd May, 2016 and it was listed for admission on 6th May, 2016, when Mr. Jagjit Singh, Senior Standing Counsel for the Railway was present on advance notice and it was at his request that the case was adjourned to 16th May, 2016 for him to obtain instructions. Quite apparently, the Railways department sprung into action only after the present petition was filed by the petitioner as steps for processing his case for releasing the pension have taken place on 13th May, 2016.

5. Keeping in mind the fact that the pension amount payable to the petitioner has remained unpaid w.e.f. December, 2015 till date for no justifiable reason, the present petition is allowed and disposed of with directions issued to the respondents to ensure that the entire retiral benefits of the petitioner are credited into his bank account by 31st May, 2016. Further, while expressing our deep displeasure with regard to the cavalier manner in which the respondents have processed the petitioner's case for release of retiral benefits, the respondents shall bear the litigation expenses incurred by the petitioner to the tune of Rs.10,000/-. Apart from the litigation expenses, costs of Rs.10,000/- are imposed on the respondents. The said amounts shall be credited into the petitioner's bank

account on or before 31st May, 2016.

6. The Registry shall forward a copy of this order directly to the Finance Advisor and Chief Accounts Officer, Northern Railways, Baroda House for perusal and to ensure that they put their house in order so that henceforth, their retiring employees are not made to run from pillar to post for receiving their retiral dues within a reasonable time.

7. This petition is disposed of.

HIMA KOHLI, J

SUNIL GAUR, J

MAY 23, 2016

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