

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

Date of Order: May 07, 2018

+ **W.P.(C) 482/2017 & CM 2212/2017**
+ **W.P.(C) 972/2018 & CM 4126/2018**

SUNDAR LAL

FATEH SINGH SANWARIYA (DECEASED) THROUGH: HIS
LEGAL REPRESENTATIVES

..... Petitioners

Through: Mohd. Sajid, Advocate

versus

CENTRAL BANK OF INDIA

..... Respondent

Through: Mr. R.S. Mathur, Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. With the consent of learned counsel for the parties, the above-captioned two petitions have been heard together and are being disposed of by this common order.

2. Learned counsel for petitioners submits that petitioners were compulsorily retired on 22nd October, 2013 and 19th February, 2015 respectively. Benefit of leave encashment is sought by petitioners. It is submitted by petitioners' counsel that this Court in its decision of 19th January, 2018 in a similar case i.e. W.P.(C) 549/2018 titled *Ashok Kumar Sawhney v. Central Bank of India and Anr.*, has granted the benefit of

leave encashment to an employee, who was compulsorily retired and the said decision has attained finality. Learned counsel for respondent-Bank does not dispute the aforesaid stand taken on behalf of petitioners.

3. In light of aforesaid, both these petitions are disposed of with direction to respondent-Bank to grant benefit of leave encashment to petitioners within a period of twelve weeks, failing which the arrears of leave encashment shall carry interest @ 6% *per annum* from May, 2018 till the date of payment.

4. In the facts and circumstances of this case, it is deemed appropriate to deny the interest on the arrears of leave encashment from the date of accrual. However, the interest on the arrears would be payable only for a period of three years prior to the institution of these petitions.

5. With aforesaid directions, the above-captioned two petitions and the applications are disposed of.

(SUNIL GAUR)
JUDGE

MAY 07, 2018

S