

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Order: February 12, 2018

+ **W.P.(C) 1302/2018**

PROF RAM BUX JAT Petitioner

Through: Mr. Piyush Sharma, Advocate

Versus

INDIRA GANDHI NATIONAL OPEN UNIVERSITY

..... Respondent

Through: Mr. Aly Mirza, Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. This is second round of litigation. In the first round of litigation, vide order of 7th May, 2015 (*Annexure P-24*), petitioner was permitted to pursue remedy with respondent-University. According to petitioner, a Representation of 29th June, 2015 (*Annexure P-27*) seeking dearness allowance on pension payable to him since the year 2008, was made to respondent-University.

2. Learned counsel for petitioner submits that despite reminder of 18th August, 2016 (*Annexure P-30*) and another reminder of 28th December, 2016 (*Annexure P-32*), petitioner's Representation of 29th June, 2015 (*Annexure P-27*) has not been decided by respondent-University till date. It is pointed out by petitioner's counsel that a Representation of 10th June, 2016 (*Annexure P-29*) was also made to Ministry of Human Resource and Development (HRD) which was forwarded to the said Ministry.

3. So far as petitioner's claim for grant of 57 days' half pay leave encashment and travel grant/ composite transfer grant and travel

allowance on retirement is concerned, it is a stale claim, as petitioner had admittedly retired in the year 2008 and had raised this claim by way of Representation purportedly made in the year 2016-17, which is not on record. So, this stale claim is declined for the reason that after a decade or so, respondent may not be having relevant record in respect of this belated claim.

4. In the facts and circumstances of this case, it is deemed appropriate to direct respondent-University to expedite obtaining of clarification from Ministry of HRD regarding payment of dearness allowance on pension and to decide petitioner's Representation of 29th June, 2015 (*Annexure P-27*) within a period of twelve weeks by passing a speaking order and its fate be conveyed to petitioner within two weeks thereafter, so that petitioner may avail of the remedy, as available in law, if need be.

5. With aforesaid directions, this petition is disposed of.

(SUNIL GAUR)
JUDGE

FEBRUARY 12, 2018

r