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

+ W.P. (C) 13852/2019

BHARAT LAL MEENA AND ORS. Petitioners

Through Ms. Tejasvi Kumar, Advocate.

versus

UNION OF INDIA AND ORS. Respondents

Through Mr. Yashpal Singh, Advocate for R-2
& 3.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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31.08.2020

Hearing has been conducted through Video Conferencing.

CM No. 21128/2020 (Exemption from filing attested affidavits and Court fee)

This Application has been filed seeking exemption from filing attested affidavits and Court fee. The Application is disposed of with a direction to the Applicant to file the same within 72 hours from the date of resumption of regular functioning of the Court.

CM No. 21127/2020

This is an Application filed by the Petitioners seeking urgent hearing of the writ petition. It is submitted by learned counsel for the Petitioners that the Petitioners herein have retired from Respondent Nos. 2 & 3 on different dates between 30.04.2019 and 31.07.2019 but the retiral benefits which

includes Commutation of Pension, Death-cum-retirement Gratuity, Provident Fund and Incentives, Leave Encashment, Central Govt. Employees Group Insurance Scheme (CGEGIS), TA for settlement at a station after retirement etc. have not been released to the Petitioners.

Learned counsel submits that the Application has been filed after the receipt of the Counter Affidavit filed by Respondent Nos. 2 & 3 on 06.08.2020. He submits that Respondent Nos.2 and 3 have clearly admitted in the Counter Affidavit that the Petitioners are entitled to the pensionary benefits but on account of paucity of funds, the retiral benefits are not being released. Thus there is no denial of the right of the Petitioners to receive the benefits and paucity of funds cannot be a ground to deny retiral benefits.

Issue Notice.

Mr. Yashpal Singh appears on advance copy of the application and accepts Notice on behalf of Respondent Nos. 2 & 3, the contesting respondents.

Mr. Yashpal Singh fairly and candidly submits that the concerned Respondents have written to the Ministry of Culture to release the grant-in-aid, so that the retiral benefits can be released. He submits that a period of six weeks be granted to the answering Respondents and every effort shall be made to ensure that the retiral benefits are disbursed within the said period. He also submits that the hearing of the petition may be preponed and the same can be disposed of today directing the Respondent Nos.2 and 3 to release the benefits.

With the consent of the parties, the application is allowed. Hearing of the petition is preponed and the petition is taken up for hearing.

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In view of the stand of the Respondents in the Counter Affidavit and the submissions made by Mr. Yashpal Singh, on instructions, the writ petition is disposed of with a direction to Respondent Nos. 2 & 3 to ensure that the retiral benefits of the Petitioners are disbursed, within a period of six weeks from today.

The next date of hearing i.e. 04.12.2020 is hereby cancelled.

JYOTI SINGH, J

AUGUST 31, 2020/yo