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

+ W.P.(C) 3987/2019

% *Date of Decision: 20th December, 2022*

DR. ASMITA KABRA

..... Petitioner

Through: Mr. Jawahar Raja, Mr. Harsh Bora and Ms. Moksha Sharma, Advocates with Petitioner-in-person.

versus

RAMJAS COLLEGE & ANR.

..... Respondents

Through: Mr. Anurag Dayal Mathur, Advocate for R-1.

Mr. Mohinder J.S. Rupal, Advocate for R-2.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

JUDGEMENT

JYOTI SINGH, J. (ORAL)

1. Present writ petition has been filed seeking the following reliefs:

“a. Issue a writ of mandamus, or any other appropriate writ, order or direction to the Respondents to take all appropriate steps for the release of the pension and all other related retirement benefits accruing in favour of the Petitioner, including at least the following payments:

- i. Gross Pension of Rs. 25,360 per month,*
- ii. Amount of Commutation Pension of Rs. 11,02,374,*
- iii. Pension after commutation of Rs. 15,216 per month,*
- iv. Normal Family Pension of Rs. 15,216 per month,*
- v. Enhanced Family Pension of Rs. 25,360 per month,*
- vi. Interest on delayed payment of pension @ 12% per annum, compounded annually,*
- vii. Retirement Gratuity of Rs. 7,98,840,*
- viii. Interest on delayed payment of Gratuity @ 12% per annum, compounded annually,*
- ix. Interest on delayed payment of Leave Encashment @ 12% per annum, compounded annually,*
- x. Pendent lite and future interest on*

b. Pass any such other or further orders as this Hon'ble Court may deem fit in the facts and circumstances of the case and in the interest of justice.”

2. On the last date of hearing, Mr. Anurag Mathur, learned counsel appearing on behalf of Respondent No. 1 had submitted that decision could not be taken in respect of the retiral benefits of the Petitioner as there was no validly constituted Governing Body and sought a period of two weeks to take a decision in the matter since the Governing Body has now been constituted.

3. Pursuant to the last order, Mr. Mathur, learned counsel for Respondent No. 1 submits that the meeting of the Governing Body has been held on 15.12.2022 and hands-over a copy of the extracts of the Minutes dated 16.12.2022, which has been taken on record and relevant part of the same reads as follows:

“Item No. 25: In any other matter

Item No. 03 : To report, consider and approve the case of Dr. Asmita Kabra regarding pension benefits given to her w.e.f. 4 January, 2010. CWP No. 3987 of 2019 Dr. Asmita Kabra Vs. Ramjas College and Anr.

Governing Body resolved and approved the pension benefits of Dr. Asmita Kabra be given w.e.f. 04th January, 2010 as per status report submitted by Section Officer and Principal Ramjas College (as per the University of Delhi letter dated 06.08.2015 fine no. CS-I(II)Misc. (TS).RJC.2015/193) dated 14th December, 2022.”

4. From the Minutes of the meeting, it is evident that the Governing Body has approved the grant of retiral benefits to the Petitioner w.e.f. 04.01.2010. Mr. Mathur, submits that the entire benefits due to the Petitioner shall be disbursed positively within a period of eight weeks from today.

5. At this stage, Mr. Jawahar Raja, submits that the grievance of the Petitioner stands redressed, however, the Petitioner be provided with the copy of the Status Report dated 14.12.2022, which finds a mention in the Minutes dated 16.12.2022.

6. Mr. Mathur, learned counsel for Respondent No. 1 submits that copy of the Status Report shall be supplied to learned counsel for the

Petitioner within a period of two weeks from today. Let the needful be done within a period of two weeks from today.

7. Writ petition is allowed directing Respondent No. 1 to disburse the retiral benefits to the Petitioner within a period of eight weeks from today along with interest @ 4 % per annum from 04.01.2010 till the date of actual payment.

8. Writ petition stands disposed of.

JYOTI SINGH, J

DECEMBER 20, 2022/shivam

