IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 13742/2024
Decided on: 19.12.2024

Rakesh Sharma …Petitioner

Versus

HPTDC & Ors. ….Respondents.

……

Coram
Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?[1]

For the petitioner:	**Mr. Manohar Lal Sharma, Advocate.**
For the respondents:	**Mr. S.S. Panta, Advocate.**

***Jyotsna Rewal Dua* , J**

Though the respondents have not filed reply, however, with the consent of learned counsel for the parties, matter is heard at this stage.

2. This writ petition has been filed for the grant of following substantive relief:-

> "i) That directions may kindly be issued to respondent Corporation to pay the amount of gratuity (DCRG) and leave encashment along with interest @ 9% per annum to the petitioner with effect from due date date i.e. 01.04.2024 till the date of its realization.

[1] *Whether reporters of the local papers may be allowed to see the judgment? yes*

3. The petitioner was in service of the respondent Himachal Pradesh Tourism Development Corporation Ltd. and retired as Assistant Manager on 31.03.2024 from HPTDC Hotel Peterhof Shimla, after rendering about 29 years of regular service. It is the case of the petitioner that the amount of gratuity of Rs.11,27,687/- and leave encashment of Rs.6,74,020/- have been sanctioned by the respondents, vide office orders dated 30.09.2024 (Annexures P-1 and P-2, respectively). The grievance of the petitioner is that despite the aforesaid gratuity and leave encashment being sanctioned, the same have not been released. It is, however, submitted that an amount of Rs.1,00,000/- has been disbursed to the petitioner by the respondents on account of retiral benefits, i.e. gratuity.

4. In the facts and circumstances of the case, this writ petition is disposed of by directing the respondents to release the admissible retiral benefits alongwith statutory interest to the petitioner within a period of six months from today, in accordance with law. If the amount due is not paid within the aforesaid period, the same shall carry interest at the rate of 9% per annum from the due date of actual payment.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

Jyotsna Rewal Dua
Judge

19th December, 2024(rohit)