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

+ **CONT.CAS(C) 249/2024**

UMA KANT SADHAV & ANR.

..... Petitioners

Through: Mr. Anuj Tyagi, Advocate.

versus

UNION OF INDIA THROUGH SH. GOVIND MOHAN, &

ORS.

..... Respondents

Through: Ms. Bharti Raju, Advocate for
respondent/UOI.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
29.05.2024

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1. The present petition has been filed alleging willful disobedience of the specific directions passed by this Court in final judgment dated 09th May, 2023 passed in *W.P. (C) No. 8971/2018*.
2. By way of the aforesaid judgment, the respondents were directed to re-fix the pay and allowances of the petitioners, without any deduction towards the pension earned by them on account of their past service with the Government, and refund the amount deducted from the pay of the petitioners, with simple interest @ 6% per annum from the date of deduction till actual payment.
3. Today, Ms. Bharti Raju, learned counsel appearing for the Union of India has brought two demand drafts for an amount ₹28,98,337/- and ₹14,62,577/-, which as per the respondents are due and payable to the



petitioners.

4. The aforesaid amount is handed over to learned counsel appearing for the petitioners.

5. Mr. Anuj Tyagi, learned counsel appearing for the petitioners submits that the respondents have mis-calculated the amounts payable to the petitioners, as the interest @ 6% per annum was to be calculated for each year, whereas, the respondents have calculated the said interest only once.

6. He further submits that the respondents were required to pay interest @ 6% per annum from the date of deductions till the date of payment, which has not been done by the respondents.

7. This Court notes that since the respondents have already paid the requisite amounts as per their own calculation to the petitioners, there is substantial compliance by the respondents.

8. However, with regard to the issue raised by learned counsel for the petitioners, as regards the discrepancy in the calculation, it is directed that the petitioners shall make a Representation to the respondents along with a Table of Calculation, showing the amounts which are due and payable to the petitioners. The said Representation shall be considered by the respondents, and, at the time of such consideration, personal hearing shall also be granted to the petitioners and/or their authorised representative.

9. In case, the respondents find any discrepancy in their calculation after considering the calculations submitted by the petitioners, further amount, which are due and payable, shall be released to the petitioners expeditiously, preferably, within a period of six weeks from today.

10. In view of the aforesaid, no further orders are required to be passed in the present petition.



11. However, in case the grievance of the petitioners still survives, the petitioners are at liberty to revive the present petition.

12. With the aforesaid directions, the present petition is disposed of.

MINI PUSHKARNA, J

MAY 29, 2024

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