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

+ W.P.(C) 15990/2024

RADHEY SHYAM

.....Petitioner

Through: Mr. Pradeep Kumar Arya, Mr. Raj Karan Sharma, Mr Aditya Kumar Yadav, Mr Priyanshu Malik, Mr. Prateek Chhikara, Mr. Gaurav Chaudhry, Mr. Arpit Banmal and Mr. Rishabh, Advocates.

versus

**NATIONAL SEEDS CORPORATION
LIMITED**

.....Respondent

Through: Mr. Yashvardhan, Ms. Kritika Nagpal, Mr. Gyanendra Shukla and Mr. Pranav Das, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

19.11.2024

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1. This writ petition has been preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking a direction to the Respondent to release the arrears of pay for the period 01.01.2017 to 31.03.2018 allegedly wrongly withheld as also other dues such as leave encashment etc.

2. Factual matrix to the extent necessary is that Petitioner was appointed with the Respondent on 20.09.1985 and promoted to the post of Deputy General Manager (Production) on 07.07.2011. Petitioner retired on superannuation on 31.01.2019 but in the meantime, in 2014, a case bearing No. RC-MA-1 2014-0020 was registered by the CBI, Hyderabad against the officials of the Respondent including the Petitioner, who was charged with criminal conspiracy for illegal procurement of groundnut seeds and thus his retirement benefits, such as leave encashment etc. were withheld. Petitioner



had earlier approached this Court in W.P. (C) No. 7447/2022, which is stated to be pending, however, as per the averments in the writ petition, the CBI Court, vide order dated 28.06.2023, has discharged the Petitioner for offences under Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988. Armed with the discharge order, Petitioner again represented to the Respondent to release his retiral dues, including arrears of pay and the representations are still pending.

3. Issue notice.

4. Mr. Yashvardhan, learned counsel accepts notice on behalf of the Respondent.

5. Without entering into the merits of the case, in my view, at this stage, it would be appropriate to dispose of this writ petition, directing the Respondent to decide the pending representation(s) and additionally treat this writ petition as a representation and take a considered decision within six weeks from the date of receipt of this order. Needless to state, the decision will be taken keeping in view of the discharge order passed by CBI Court. The order passed will be a reasoned and speaking order and shall be communicated to the Petitioner within one week from the date of the decision and Petitioner will be at liberty to take recourse to the legal remedies, in case of any surviving grievance. In case, the decision is in favour of the Petitioner, Respondent shall proceed to release the retiral/terminal benefits including the arrears of pay without further delay.

JYOTI SINGH, J

NOVEMBER 19, 2024/shivam