Court No. - 5

Case :- WRIT - A No. - 10935 of 2024

Petitioner :- Jamwant Rai
Respondent :- Union Of India Thru. Secy. Ministry. Communication New Delhi And 2 Others
Counsel for Petitioner :- Anil Kumar Yadav
Counsel for Respondent :- A.S.G.I.,Nidhi Singh

Hon'ble Abdul Moin,J.

1. Heard Shri Anil Kumar Yadav, learned counsel for petitioner, Sri Anand Dwivedi, learned counsel for the respondent no. 1 and Ms. Nidhi Singh, learned counsel for opposite parties no.2 & 3.

2. Petition has been filed seeking a direction to the concerned authority for payment of interest at the rate of 7% per annum on the delayed payment of post retiral benefits of privilege leave encashment.

3. It is submitted that petitioner's case is covered by judgment rendered by Co-ordinate Bench of this Court in Writ A No. 2075 of 2023, Ashok Kumar Shukla versus Union of India and others decided vide judgment and order dated 3rd March, 2023 and was upheld in Special Appeal (Defective) No. 72 of 2024 vide judgment and order dated 6th February, 2024 as well as by Hon'ble Supreme Court in S.L.P. No. 7939 of 2024 decided vide judgment and order dated 8th April, 2024.

4. Considering the aforesaid aspects, the opposite parties are directed to take a final decision with regard to payment of aforesaid benefits in the light of judgment rendered by this Court in the case of Ashok Kumar Shukla (supra), in case same is applicable. Final decision shall be taken within a period of six weeks from the date a certified copy of this order is produced before the said authority. In case petitioner is found entitled for the aforesaid benefits, actual payment thereof shall be ensured within a period of six weeks thereafter.

5. With the aforesaid directions, the writ petition stands disposed of.

Order Date :- 21.11.2024
Pachhere/-

Digitally signed by :-
SATYENDRA SINGH PACHHERE
High Court of Judicature at Allahabad,
Lucknow Bench