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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ LPA 545/2019 & CM APPL. 38144/2019, CM APPL.  
31765/2022  
J P MAHAJAN .....Appellant

Through: Mr.Praveen Chauhan, Mr.Ishan  
Jain, Mr.Yash Prakash,  
Mr.Sarthak Sawhney &  
Ms.Malvika Satija, Advs

versus

GOVERNING BODY & ORS. ....Respondents

Through: Mr.Om Prakash, SPC with  
Mr.Chandresh Pratap, Ms.Swati  
Mishra, Mr.Nitish Pande,  
Mr.Amish Kumar, Vishnu  
Pillai, Mr.Mukul Gupta &  
Mr.Sarthak Udaipuria, Advs for  
UGC  
Ms.Monika Arora with  
Mr.Prabhat Kumar,  
Mr.Subhrodeep Saha &  
Ms.Anamika Thakur, Advs for  
Kirori Mal College

**CORAM:**  
**HON'BLE MR. JUSTICE NAVIN CHAWLA**  
**HON'BLE MS. JUSTICE RENU BHATNAGAR**

**ORDER**  
**22.05.2025**

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1. This appeal has been filed challenging the Order dated 30.07.2019 passed by the learned Single Judge of this Court in WP(C) 3663/2017, titled ***J.P. Mahajan v. Governing Body Kirori Mal College & Anr.***, by which the writ petition filed by the petitioner herein, seeking release of his terminal/retiral benefits and quashing of

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the letter dated 17.02.2017 passed by respondent no.1 withholding the same, was dismissed.

2. It is now admitted that, post the filing of the present appeal, respondent no.1 appointed a Committee to look into the grievance of the appellant. The Committee reported that the withholding of the retiral benefits of the appellant was not justified. Pursuant thereto, the entire retiral benefit was released to the appellant on 21.02.2025. The appellant states that the same has been released, however, without payment of any interest.

3. Placing reliance on Section 7(3)(A) of the Payment of Gratuity Act, 1972, the learned counsel for the appellant prays for simple interest at the rate of 6% per annum to be at least granted for the delayed payment.

4. The learned counsel for the respondents, on the other hand, submits that there was no claim for payment of interest made in the writ petition. In fact, the writ petition stood dismissed by the learned Single Judge of this Court and, therefore, the appellant may not be entitled to grant of any interest. He submits that the appellant may make a representation in this regard to the competent authority, which representation shall be duly considered by the competent authority.

5. We have considered the submissions made by the learned counsels for the parties.

6. It is not denied that the retiral benefits were due to be paid to the appellant from 31.01.2017. However, by a letter dated 17.02.2017, the respondent no.1 decided to withhold the release of the retiral benefits to the appellant. The same have now been found to be due to

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be paid to the appellant from the said date. The retiral benefits of the appellant are neither a bounty nor a charity. The appellant is legally entitled to them. The same has been withheld by the respondents for reasons, which have now been declared by the respondents themselves to be unjustified. Therefore, in the facts of the present case, we direct that the respondents shall pay interest at the rate of 6% per annum to the appellant on the retiral benefits from 31.01.2017 till the date of payment of the retiral benefits to the appellant, within a period of eight weeks from today.

7. The appeal and the pending applications are disposed of with the above directions.

**NAVIN CHAWLA, J**

**RENU BHATNAGAR, J**

**MAY 22, 2025/rv/VS**

[Click here to check corrigendum, if any](#)

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