



2025:DHC:10892-DB



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

Date of decision: 02.12.2025

+ **W.P.(C) 10087/2024**

SHER SINGH/ IN PERSON

.....Petitioner

Through: In person.

versus

GOVT. OF NCT OF DELHI & ORS.Respondents

Through: Mr. Ripudaman Bhardwaj,
CGSC with Mr. Kushagra
Kumar and Mr. Amit Kumar
Rana, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed challenging the order dated 12.09.2023 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. 388/2023, titled ***Shri Sher Singh v. Govt. of NCT of Delhi***, whereby the learned Tribunal allowed the O.A. filed by petitioner herein with the following directions:

"7. In view of the aforesaid, the impugned orders dated 02.01.2019, 13.07.2020 and 29.09.2020 are quashed and set aside. The OA stands disposed of with a direction to the

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Signing Date: 06.12.2025
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Competent Authority amongst the respondents, who may pass an appropriate order for release of the leave encashment in accordance with law. This exercise shall be completed within a period of two months from the date of receipt of copy of this Order. There shall be no order as to costs."

2. The only grievance of the petitioner is that while the learned Tribunal has directed the respondent to pass appropriate order and release the leave encashment amount to the petitioner, the learned Tribunal has not awarded any interest to be paid by the respondent to the petitioner on the said amount.

3. The petitioner, who appears in person, submits that he was dismissed from service *vide* order dated 27.08.2018. The leave encashment amount, however, was paid to the petitioner only after the passing of the Impugned Order by the learned Tribunal, albeit without interest. He submits that Constable Anil Kumar, who was also dismissed from service along with the petitioner, however, has been paid interest for the delay in payment of the leave encashment amount at the GPF Rates, in view of the order dated 18.04.2023 passed by the learned Tribunal in O.A. No. 2709/2021 titled **Anil Kumar v. GNCTD**. He submits that there is no reason assigned by learned Tribunal for not awarding interest to the petitioner for the delay in payment of the leave encashment amount.

4. On the other hand, the learned counsel for the respondent submits that the petitioner had been dismissed from service and taking that into account, it was decided that he was not entitled to the leave encashment amounts. The learned Tribunal, however, did not agree



with the respondent on this aspect, and by the Impugned Order, has set aside the orders passed by the respondents and directed the respondents to pay the leave encashment amount to the petitioner, the same has been duly paid. He submits that in the peculiar facts of the case, the petitioner was not entitled to payment of interest for the delay in payment of the leave encashment amount.

5. We have considered the submissions made by the petitioner, who appears in person, and by the learned counsel for the respondents.

6. In the present case, the limited claim of the petitioner is to the interest for delayed payment of leave encashment amount. Leave encashment amount is the property of the petitioner, as has been held by this Court in *Union of India & Ors. v. Vijay Kumar Gupta*, 2025: DHC:6532-DB. The decision of the respondents to forfeit the same having been set aside by the learned Tribunal, in our view, the petitioner was entitled to interest for the delayed payment. We find that no reasons were given by the learned Tribunal for declining the same to the petitioner.

7. Accordingly, we set aside the Impugned Order of the learned Tribunal only to a limited extent that it does not grant interest for the delayed payment of leave encashment amount to the petitioner. The respondent shall pay interest at the rate of 6% per annum on the delayed payment of the leave encashment amount from the date that it became due and payable to the petitioner till the date that it was paid to him eventually in terms of the Impugned Order of the learned Tribunal. Such amount be paid by the respondents to the petitioner within a period of eight weeks from today.



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8. The petition is allowed in the above terms.

NAVIN CHAWLA, J

MADHU JAIN, J

DECEMBER 2, 2025/ys/P/ss