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

\+ W.P.(C) 15860/2022

PREM CHANDRA VAISH .....Petitioner

Through: Mr. Puneet Agrawal, Ms. Mansi Khurana, Mr. Viplav Tiwari and Mr. Chetan Kumar Shukla, Advs.

versus

UNION OF INDIA & ANR. ....Respondents

Through: Mr. Shrey Sharawat, Senior Panel Counsel with Mr. Himanshu Sihag and Mr. Saurabh Oberoi, Advs for R-1.
Mr. Ajit P. and Mr. Ashutosh K. B., Advs. for R-2.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 13.02.2026

1. The Petitioner served as Chairman and Managing Director ("*CMD*") of National Textile Corporation Ltd., New Delhi ("*the Corporation*"). He tendered his resignation on 29th September, 2017, giving three months' notice. Upon approval of the Ministry of Textiles, the Petitioner was relieved from the said post with effect from 18th December, 2017.

2. According to the Corporation, around the time of the Petitioner's relieving, a communication dated 21st December, 2017 was received from the Ministry of Textiles regarding complaints pertaining to the transfer of

land forming part of Malhadwadi Godown of Podar Mills to a builder allegedly for consideration of INR 75 lakhs while the property was allegedly worth substantially higher.

3. It is stated that the Central Vigilance Commission ("*CVC*"), by order dated 17th May, 2017, under Sections 8(1)(d) and 8(1)(h) of the Central Vigilance Commission Act, 2003, directed examination of the complaint. The Ministry, by letter dated 23rd June, 2017, forwarded the complaint to the Corporation and directed it to investigate and report back. The vigilance division of the Corporation conducted an examination and, by communication dated 26th October, 2017, did not find any irregularity in the transaction.

4. Thereafter, the Ministry, by letter dated 05th August, 2019, directed re-examination of the issue. The vigilance division of the Corporation undertook a detailed examination and submitted a report dated 20th December, 2019. Subsequently, by communication dated 09th December, 2020, the Ministry specifically sought clarification as to whether any vigilance angle was involved. The revisional division, by reply dated 27th January, 2021, analysed the matter and indicated that a vigilance angle was involved, pursuant to which the matter was forwarded to the Economic Offences Wing ("*EOW*"), Mumbai, and thereafter to the Central Bureau of Investigation ("*CBI*").

5. On account of pendency of the said inquiry, the Corporation withheld the Petitioner's retiral/terminal dues. Aggrieved thereby, the Petitioner approached this Court seeking appropriate directions for release of his retiral/terminal benefits.

6. During the course of hearing, the Petitioner handed over a

communication dated 24th January, 2025 issued by the CBI, Economic Offences Branch, Mumbai addressed to the Corporation in respect of the complaint against the Petitioner. The said communication, taken on record, reads as follows:

> *"To*
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> *The GM/OIC,*
> *National Textile Corporation Limited,*
> *Western Region Officer,*
> *NTC House, 15 N. M. Marg,*
> *Ballard Estate, Mumbai-40001.*
>
> *Sub:- Complaint against Sh. P.C. Vaish, CMD, NTC Ltd. – reg.*
>
> *Ref: i) Complaint letter no. NTC/2023/EOW/633 dated 04.10.2023*
> *ii) Email dated 09.01.2025.*
>
> *It is to inform the CBI, EOB, Mumbai has received a subject cited complaint against Mr. P.C. Vaish, Ex-CMD, National Textile Corporation Ltd. (NTCL- A government of India undertaking) regarding irregularities in the sale of properties known as Mahlarwadi, Dadyshet Agiary Lane, Bhuleshwar, Mumbai.*
>
> *After scrutiny of the complaint, it is revelated that, CBI did not find any material to register the complaint hence the instant complaint has been closed at our end."*

7. The Counter Affidavit placed on record by the Respondents discloses the entire sequence of communications and inquiries. The record indicates that an internal vigilance examination conducted by the Corporation did not find wrongdoing. The matter was nevertheless subjected to further examination at the instance of the Ministry and was ultimately referred to investigating agencies. However, the competent investigative agency, namely the CBI, has now concluded that there is no material to even register a case against the Petitioner.

8. In view of the above development, the very basis on which the

retiral/terminal benefits were withheld no longer survives. Once the investigation itself stands closed and no departmental proceedings have been initiated, there remains no justification for continued withholding of retiral dues of the Petitioner.

9. Accordingly, the writ petition is allowed. The Respondents are directed to release the Petitioner's retiral/terminal benefits.

10. The gratuity shall be released in accordance with the Payment of Gratuity Act, 1972 together with interest payable under Section 7(3-A) thereof in terms of the applicable notification[1]. Insofar as leave encashment is concerned, the same shall carry interest @ 6% per annum from the date it became due till the date of payment.

11. The aforesaid exercise shall be completed within a period of six weeks from today.

12. The petition stands disposed of in the above terms.

SANJEEV NARULA, J

FEBRUARY 13, 2026
jyh

[1] For reference: Notification No. S.O. 874(E), dated 1st October, 1987.