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

+ **W.P.(C) 605/2026**

SMT ANSHU GROVER

.....Petitioner

Through: Mr. Tarun Kumar Thakur, Advocate.

Versus

INDIAN BANK & ORS.

.....Respondents

Through: Mr. Rajat Arora, Mr. Niraj Kumar &
Mr. Sourabh Mahla, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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02.02.2026

1. The Petitioner had earlier filed W.P.(C) 17718/2024, wherein the following prayers were sought:

'It is therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to:-

(a) quash the notice/order dated 15.5.2015 issued by the Assistant General Manager (HRM), Indian Bank forfeiting the gratuity amount under Section 4(6) (b) (ii) and 4(6)(a) of the Payment of Gratuity Act payable to the deceased employee -Yashpal Grover;

(b) issue a Writ, order or direction in the nature of Mandamus declaring that the petitioner is entitled to retiral benefits i.e. gratuity, paid leaves, full and final settlement, provident fund amount as well as arrears of pay revision from November, 2012 till March, 2014 and family pension with interest @ 16 % per annum with effect from March, 2014 onwards of her late husband Yashpal Grover under the sub-Rule 2 of Section 4 of the Payment of Gratuity Act with interest at 14% per month;

c) pass such other or further orders, as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.'

2. The aforesaid writ petition was disposed of by order dated 23rd December, 2024, whereby this Court declined to entertain the petition and



granted liberty to the Petitioner to avail other remedies available in law, in the following terms:

'1. The petitioner has challenged forfeiture of gratuity of her now deceased husband, who had during his lifetime been arrested for financial offence and released on bail after which he passed away. It is informed by learned counsel that the forfeiture order dated 15.05.2015 has already been challenged by way of appeal, which is pending.

2. After addressing partly, without prejudice to his contentions, learned counsel on instructions seeks permission to withdraw this petition with liberty to take recourse to the remedies available in law. The petition is dismissed as withdrawn with liberty as sought.'

3. Notwithstanding the above, the Petitioner has once again approached this Court by way of the present petition, seeking identical reliefs, which read as under:

'It is therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to:-

(a). issue a Writ, order or direction in the nature of Mandamus declaring that the petitioner is entitled to retiral benefits i.e. gratuity, paid leaves, full and final settlement, provident fund amount as well as arrears of pay revision from November, 2012 till March, 2014 and family pension with interest @ 16 % per annum with effect from March, 2014 onwards of, her late husband Yashpal Grover under the sub-Rule 2 of Section 4 of the Payment of Gratuity Act with interest at 14% per month;

b) pass such other or further orders, as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.'

4. In the opinion of this Court, once the earlier writ petition has already been declined with liberty to the Petitioner to pursue statutory remedies under the Payment of Gratuity Act, the Petitioner cannot seek the same reliefs afresh before this Court without first exhausting the remedies so available. The Petitioner is required to pursue the statutory remedies and, thereafter, if so advised and in accordance with law, may avail appropriate remedies to challenge any adverse order.



5. In light of the foregoing, the present petition is disposed of.

SANJEEV NARULA, J

FEBRUARY 2, 2026/hc