

**BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL  
AT DEHRADUN**

Present: Hon'ble Mr. Justice U.C.Dhyani

----- Chairman

Hon'ble Mr. Rajeev Gupta

-----Vice Chairman (A)

**CLAIM PETITION NO. 179/SB/2022**

Munendera Singh Rawat, s/o Late Sri Pratap Singh, r/o 60 Vidya Vihar, 1-Kargi Road, Dehradun, District Dehradun, Uttarakhand.

.....Petitioner

**vs.**

1. State of Uttarakhand through its Secretary, Forest Department, Govt. of Uttarakhand, Dehradun.
2. Director, Forest Conservation, Rajaji Tiger Reserve Dehradun, 5/1 Ansari Road, Dehradun, Govt. of Uttarakhand.
3. Directorate of Treasury Pension and Entitlement, Uttarakhand, 23 Laxmi Road, Dalanwala, Dehradun, Uttarakhand.

.....Respondents

Present: Sri Inder Dutt, Advocate, for the Petitioner

Sri V.P. Devrani, A.P.O. for the Respondent No. 1

**JUDGMENT**

**DATED: DECEMBER 02, 2022.**

**Justice U.C. Dhyani (Oral)**

By means of present claim petition, the petitioner seeks following reliefs:

“(a) To direct the respondent to decide the representation dated 08.09.2022 by speaking order, or.

(b) To direct pay interest @ 18 % per annum on retirement benefits up to date i.e. interest on payments of earned leave for six months and six days, interest on payment of gratuity for seven months, eight days and interest on payment of group insurance for six years, six months and 24 days.

(c) Any other order or direction which this Hon’ble Court may deem fit and proper in the circumstances of the case.”

2. It is the submission of Ld. Counsel for the petitioner that the petitioner, who has since retired, received the retiral dues belatedly. He has moved a representation to the respondent department for payment of interest on delayed payment of such retiral dues.

3. Ld. A.P.O. submitted that such representation shall be decided by the respondent department at an earliest possible, in accordance with law.

4. Ld. Counsel for the petitioner submitted that the petitioner shall feel satisfied if his representation is decided by the respondents by a reasoned and speaking order at an earliest possible, in accordance with law. He has confined his prayer, at this juncture, only to this extent.

5. The claim petition is disposed of, at the admission stage, by directing Respondent No.2 to decide pending representation dated 08.09.2022 (Annexure: 1) of the petitioner by a reasoned and speaking order, without unreasonable delay, in accordance with law, on presentation of certified copy of this order along with a copy of representation. Whenever such representation is decided, it will be the responsibility of the respondent department to communicate the same to the petitioner.

6. The respondent department should bear it in mind, while deciding the representation of the petitioner, that the retiral dues are not bounty and preparation for releasing the same should be done by the respondent department well ahead of retirement of its employee. In case of delay in payment of retiral dues, there is a Govt. Order also that the delay in payment of retiral dues shall be met with interest. The same is the verdict of

Hon'ble Supreme Court in a catena of decisions including the one in S.K.Dua vs. State of Haryana and Another (2008)1 Supreme Court Cases (L&S) 563.

7. No notice is required for Respondents No. 2 & 3.
8. No order as to costs.

**(RAJEEV GUPTA)**  
VICE CHAIRMAN (A)

**(JUSTICE U.C.DHYANI)**  
CHAIRMAN

*DATE: DECEMBER 02, 2022*  
*DEHRADUN*

VM