

(2024) 09 UK CK 0031

Uttarakhand High Court

Case No: Writ Petition No. 1755 Of 2024 (S/S)

Lal Singh

APPELLANT

Vs

Uttarakhand Transport
Corporation, Dehradun And
Another

RESPONDENT

Date of Decision: Sept. 21, 2024

Hon'ble Judges: Ravindra Maithani, J

Bench: Single Bench

Advocate: K.K. Harbola, Ashish Joshi

Judgement

Ravindra Maithani, J

1. By means of the instant petition, the petitioner seeks the following reliefs:-

i) To declare the action of the Respondents in reducing the amount of gratuity, leave encashment and other retiral dues allegedly on the basis of audit report, as arbitrary and illegal.

ii) Issue a writ, order or direction in the nature of certiorari to call for record and quash the impugned order number 1545 dated 10.09.2021 by which the recovery from the retiral dues of the petitioner has been made after his retirement.

iii) Issue a writ order or direction in the nature of mandamus directing the respondents to forthwith release the withheld/adjusted amount from the retiral dues of the petitioner, along with interest in view the law settled by the Hon^{ble} Apex Court as well as this Hon^{ble} Court or in

alternate pass any appropriate orders keeping in view of the facts highlighted in the body of the petition or mold the relief appropriately.

iv) Issue any other suitable writ, order or direction which this Honâ€™ble Court may deem fit and proper in the circumstances of the case.

v) To award the cost of the writ petition in favor of the petitioner.â€™

2. Heard learned counsel for the parties and perused the record.

3. At the very outset, learned counsel for the petitioner would submit that the matter is squarely covered by the judgment dated 04.04.2024, passed by

the Division Bench of this Court in Special Appeal No.245 of 2022, Managing Director, Uttarakhand Transport Corporation, Dehradun and others vs.

Ashok Kumar Saxena; and connected cases.

4. Learned counsel for the respondents admits this fact.

5. The matter is covered, therefore, instant petition is decided in terms of the judgment dated 04.04.2024, passed by the Division Bench of this Court in

Special Appeal No.245 of 2022, Managing Director, Uttarakhand Transport Corporation, Dehradun and others vs. Ashok Kumar Saxena; and

connected cases.