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

+ W.P.(C) 3861/2026, CM APPL. 18992/2026, CM APPL. 18993/2026 and CM APPL. 18994/2026

DELHI DEVELOPMENT AUTHORITYPetitioner

Through: Ms.Adv.[appearance not given]

versus

SHRI SATENDRA PALRespondent

Through: None.

+ W.P.(C) 3866/2026, CM APPL. 19002/2026, CM APPL. 19003/2026 and CM APPL. 19004/2026

DELHI DEVELOPMENT AUTHORITYPetitioner

Through: Ms.Adv.[appearance not given]

versus

RAJENDRA KUMAR SHARMARespondent

Through: Respondent in-person.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **25.03.2026**

1. This order shall dispose of two connected Writ Petitions.
2. The learned Central Administrative Tribunal, Principal Bench, New Delhi ('Tribunal') has directed the Petitioner to release the retirement benefits of the Respondents in both the Writ Petitions, who retired in the year 2018 and 2021, respectively. Their pensionary benefits were withheld on account of a criminal case registered under the Prevention of Corruption Act, 1988 and other provisions of the Indian Penal Code, 1860, which remained pending at the relevant time. As of now, the Respondents stand acquitted after a full-fledged



trial.

3. The Petitioners have refused to release the retirement benefits on the ground that an application seeking Leave to Appeal is pending and, therefore, judicial proceedings, within the meaning of clause (c) of Rule 69(1) CCS (Pension) Rules, 1972, continue to remain pending.

4. This Court has considered the submission of the learned counsel representing the Petitioner, and on a query put by the Court, she admits that leave to Appeal has not been granted till date.

5. This Court, in similar circumstances, in W.P.(C) 3016/2021, captioned ***Kishan Lal Taneja v. Govt. of NCT of Delhi and Ors.***, has held as under:

“7. Having considered the submissions of the parties and perused the record, I am unable to accept the respondent’s plea. The petitioner has already reached the ripe age of 75 years, and is still to receive the fruits of his long service with the respondents, and that too, after he has been honourably acquitted by the Competent Court. In my considered opinion the mere pendency of an application seeking grant of leave to appeal against the judgment dated 28.02.2017 before this Court, cannot be a ground to deprive a senior citizen like the petitioner, of his rightful dues, for which he has been patiently waiting since 2007. However, in order to ensure that no prejudice is caused to the respondent, while allowing the writ petition with a direction to the respondent no.2 to release within four weeks, all the pending terminal dues of the petitioner, including the remaining 50% amount towards leave encashment and gratuity, it is directed that, the release of the said payment would be subject to the petitioner filing within one week, an affidavit of undertaking before this Court to refund the amount with interest, as may be directed by the Competent Court, in case the judgment of acquittal dated 28.02.2017 is set aside.”

6. Keeping in view the aforesaid position, the present Petitions are disposed of in the same terms as set out hereinabove. The Respondents shall furnish an undertaking before this Court to refund the amount together with reasonable interest, in case the judgment of acquittal is set aside.



7. Accordingly, the present Petitions are disposed of and the pending applications stand closed.

8. A photocopy of the order passed today be kept in the connected matter.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

MARCH 25, 2026
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