

CWPOA No. 1616 of 2019

30.07.2021 Present: Mr. Dilip Sharma, Sr. Advocate with Mr. Manish Sharma, Advocate, for the petitioners.

Mr. Vinod Thakur, Mr. Shiv Pal Manhans, Addl. A.Gs. with Mr. Bhupinder Thakur, Dy. A.G., for the respondents/State.

Through Video Conferencing

Learned Additional Advocate General has placed on record instructions dated 27.07.2021, of which only paras 11 and 13 are relevant for the time being , which are reproduced as under:-

11. The applicant has also requested the DRDA for revising retirement dues of her husband in view of above directions. It is submitted that as per information furnished by Deputy Director-cum-Project Officer, DRDA Solan, the gratuity to the tune of Rs.3,42,855.00/- for service period rendered by Raghubir Chand under DRDA stood paid to him on the basis of last pay drawn by him prior to date of his merger. The matter regarding payment of revised Gratuity in pursuance of directions of the Department dated 29.05.2020 on the basis of his last pay at the time of superannuation on 31.03.2016 is being forwarded for the authorization of the Accountant General, H.P. Accordingly, differential amount of Gratuity and as well as Leave Encashment will be released to the applicant i.e. Smt. Prakasho Devi (Copy enclosed).

13. It is not out of place to mention here that petitioners at Sr. No. 2 & 5 i.e. Sh. Som Dutt Sharma and Sh. Bakshish Singh stood superannuated on 30.04.2020 & 31.03.2020 respectively. Subsequently, in view of latest Instructions dated 29.05.2020, the Gratuity stood released to both on the basis of last Pay Drawn at the time of Superannuation. Similarly, Leave-encashment to both has been calculated and is being released shortly.

Now, that the respondents themselves have partly conceded to the claims of petitioner No. 1 and petitioners No.

2 and 5, therefore, let consequential action in terms of the aforesaid instructions regarding the differential amount of gratuity as well as leave encashment be calculated and released in favour of all these petitioners within a period of six weeks.

As regards the subsisting grievances, list the case for hearing on 10.09.2021.

In the meanwhile, compliance report be also filed.

(Tarlok Singh Chauhan)
Judge

July 30, 2021
(sanjeev)