

**Hem Raj Vs. State of H.P. & Ors.
CWP No. 9347 of 2024**

05.09.2024 Present: Mr. J.L. Bhardwaj, Senior Advocate, with Mr. Neel Kamal Sharma, Advocate, for the petitioner.

Mr. Pushpinder Jaswal, Additional Advocate General, for the respondents.

CWP No. 9347 of 2024

Notice. Mr. Pushpinder Jaswal, learned Additional Advocate General, accepts notice on behalf of the respondents. As prayed for, reply be filed, within a period of six weeks. List thereafter.

CMP No. 15704 of 2024

Notice in above terms.

Learned Senior Counsel appearing for the petitioner submits that in terms of Annexure P-13, even as per the respondents, it is only an amount of Rs. 6,62,990/- which is due and liable to be recovered from the petitioner, though the same is disputed by the petitioner. Yet he submits on account of the recovery of the said amount, the entire retiral benefits of the petitioner stands withheld by the respondents. Accordingly, he submits that interest of justice would be served in case respondents are directed to release the retiral amount to which the petitioner is entitled to but by withholding the amount which is mentioned in Annexure P-13.

In view of the stand that has been taken by learned Senior Counsel for the petitioner, in the interregnum, it is ordered that unless and until there is some other impediment in the release of the other retiral benefits to the petitioner then let the retiral benefits be released in favour of the petitioner by withholding an amount of Rs.6,75,000/-, withholding whereof shall abide by the final adjudication of the writ petition.

(Ajay Mohan Goel)
Judge

September 05, 2024
(Shivank Thakur)