



2025:HHC:37030

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.17120 of 2025

Decided on: 4th November, 2025

Vidya Sagar

.....**Petitioner**

Versus

H.P. Tourism Development Corporation
and others

.....**Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. Ajeet Singh Saklani, Advocate.

For the Respondents: Mr. Shivank S. Panta, Advocate.

Jyotsna Rewal Dua, Judge

Notice. Mr. Shivank S. Panta, learned counsel,
appears and waives service of notice on behalf of the
respondents.

2. This writ petition has been filed for the grant of
following substantive reliefs:-

“a. That a writ of mandamus may please be issued and the respondents may kindly be directed to release the retiral benefits i.e. Gratuity & leave encashment along with interest on the entire amount of gratuity and leave encashment, which is still due and payable to the petitioner from due date i.e. 01.05.2025 till the date of its realization, on account of delayed periods payments, in terms of the judgment dated 24.02.2022 passed by the Hon'ble High Court of H.P. in CWP No.6628/2021 titled as Anil Kumar Goel Vs. HPTDC & Anr., (Annexure

¹ Whether reporters of print and electronic media may be allowed to see the order? Yes.



P-4) and even otherwise on facts and law as stated in the petition as above, the petition may kindly be allowed with costs, in the interest of law and justice.

- b. That the action of the respondents in withholding or not releasing the retiral benefits of the petitioner from due date 01.05.2025 till date, may kindly be held as illegal, arbitrary, discriminatory and violative of articles 14 & 16 of constitution of India.”*

3. The petitioner was in service of the respondent-Himachal Pradesh Tourism Development Corporation Ltd. and retired as Driver from HPTDC, Transport Wing-Manali, H.P. on 30.04.2025, after rendering about 19 years & 23 days of regular service. It is the case of the petitioner that the amount of gratuity of Rs. 6,98,885/- and leave encashment of Rs.6,37,580/- have been sanctioned by the respondents, vide office orders dated 10.07.2025 (Annexures P-1 and P-2). The grievance of the petitioner is that despite the aforesaid gratuity and leave encashment being sanctioned, the same have not been released. It is, however, submitted that an amount of Rs.1,00,000/- has been disbursed to the petitioner by the respondents on account of retiral benefits, i.e. gratuity.

4. In the facts and circumstances of the case, this writ petition is disposed of by directing the respondents to release the admissible retiral benefits along with statutory interest to the petitioner within a period of six months from today in accordance with law. If the amount due is not paid



within the aforesaid period, the same shall carry interest at the rate of 9% per annum from the due date till the date of actual payment.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

November 04, 2025
Mukesh

Jyotsna Rewal Dua
Judge