



2026:UHC:3161-DB

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPSB/83/2026</u> <u>Hon'ble Manoj Kumar Tiwari, J.</u> <u>Hon'ble Siddhartha Sah, J.</u> 1. Mr. Kaushal Sah Jagati, learned counsel for the petitioner. 2. Dr. Kartikey Hari Gupta, learned counsel for the respondent-University. 3. According to petitioner, he was appointed as Teacher in Himachal Pradesh University, Shimla (HP) in the year 1984 and after serving for about 28 years in the said University, he was appointed as Professor w.e.f. 30.03.2012 in Hemwati Nandan Bahuguna Garhwal (Central) University, Srinagar. Petitioner completed age of superannuation on 30.03.2019. 4. By means of this writ petition, petitioner has sought the following reliefs:- (i) A Writ, Order or Direction in the nature of Mandamus directing the respondent no. 1/University to pay retirement dues to the petitioner in the form of Leave Encashment, interest on delayed Gratuity payment, refund of amount deducted prior to payment of commuted Pension along with Retirement Travel Allowance as per Rules (Annexure No. 4); within a period of four weeks. (ii) A Writ, Order or Direction in the nature of Mandamus directing the respondent no. 1/University to make all the payment with 18% interest. 5. Learned counsel appearing for H.N.B. Garhwal University submits that all other retiral benefits have been



		released to the petitioner except a sum of ₹10,35,149/- which is payable as Leave Encashment. He refers to para 5 of the counter affidavit filed by Professor Yadav Prasad Raiwani, Registrar (Officiating), Hemwati Nandan Bahuguna Garhwal University, which is extracted below:- “5. That the contents of paragraph no. 15 to 17 are false, misleading hence vehemently denied. The petitioner sent the T.A. claim in duplicate copy. A Letter had been communicated vide ग०वि०वि०/प्रशासन (शैक्षिक)/2020/835 dated 24.10.2020 dated 24.10.2020 to provide the T.A. claim with original copy but same has not been received as on date. Same information also communicated vide letter No. HNB GU/FO/2024/307 dated 23.07.2024. Therefore, retirement T.A. Bill has not been paid so far. The Provision of leave encashment for the faculty in H.N.B.G.U. is approved by the University's Finance Committee on 30th June, 2023. The leave encashment dues of the petitioner for services rendered in H.N.B.G.U. for Rs. 7,82,924/- was paid on 30.03.2024 along with fifty-five other retired faculty members on the availability of grants from the U.G.C. The Himachal Pradesh University has transferred retirement benefits of the petitioner to H.N.B.G.U. except leave encashment contribution for services rendered in H.P.U. for Rs. 10,35,149. A reminder mail has been sent to H.P.U. 12.03.2026 to transfer the due amount. The same will be paid to the petitioner on receipts of the amount. True and correct copy of communication dated 24.10.2020 and 27.07.2024, Finance Committee Decision dated 30.06.2023, Leave Encashment Payment dated 30.03.2024, Reminder Mail to H.P.U. dated 12.03.2026 marked and annexed as Annexure No. 2.” 6. Learned counsel for the petitioner, however, disputes the said submission made on behalf of H.N.B. Garhwal University by referring to a letter issued by Registrar, H.N.B Garhwal University on 25.06.2024. The said letter is on
--	--	---



			record as Annexure 5 to the writ petition. The amount of Leave Encashment payable to the petitioner is mentioned as ₹23,72,216/- in the said letter. Learned counsel for the petitioner submits that the amount of pension commutation and portion of Gratuity is yet to be released to the petitioner. 7. Having regard to the facts and circumstances of the case and also in view of the fact that petitioner retired more than seven years ago, the Registrar of H.N.B. Garhwal (Central) University is directed to convene a meeting with Registrar of Himachal Pradesh University, virtual or physical, within four weeks to resolve all pending issues in respect of retiral dues of petitioner. Petitioner shall also be permitted to participate in the said meeting virtually. The amount, which Himachal Pradesh University has to remit to H.N.B. Garhwal (Central) University for payment of retiral dues of petitioner shall be transferred to H.N.B. Garhwal (Central) University within three weeks from the date the meeting is held, and all pending dues of the petitioner shall be cleared within the next three weeks. 8. With the aforesaid direction, the writ petition stands disposed of. (Siddhartha Sah, J.) (Manoj Kumar Tiwari, J.) 27.04.2026 <i>Aswal</i>
--	--	--	--



2026:UHC:3161-DB

--	--	--	--