BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL AT DEHRADUN

Present: Hon'ble Mr. Justice U.C.Dhyani

------ Chairman

Hon'ble Mr. Arun Singh Rawat

-------Vice Chairman (A)

CLAIM PETITION NO. 01/SB/2026

Ramraj Singh Parmar, aged about 62 years, s/o Late Sri Randeep Singh Parmar, r/o Parmar Bhawan, Gyansu, Uttarkashi.

……Petitioner

vs.

1. State of Uttarakhand through Secretary, Energy, Govt. of Uttarakhand, Secretariat, Subhash Road, Dehradun.
2. Uttarakhand Power Corporation Limited through its Managing Director, V.C.V.G.S. Urja Bhawan Kanwali Road, Dehradun.
3. General Manager/ Deputy General Manager (Finance) Zonal Account Office, Uttarakhand Power Corporation Limited V.C.V.G.S. Urja Bhawan Kanwali Road, Dehradun.
4. The Director, Directorate of Pension, Treasury & Entitlement, 23 Laxmi Road, Dalanwala, Dehradun.

...…….Respondents

Present: Sri Abhishek Divakar Chamoli, Advocate, for the petitioner.
Sri V.P.Devrani, A.P.O., for Respondent No.1.
Sri Manish Kumar Singh, Advocate for UPCL

JUDGMENT

DATED: JANUARY 02.2026.

Justice U.C. Dhyani (Oral)

By means of present claim petition, the petitioner seeks the following reliefs:

"i) Issue an order or direction, directing the Respondents to pay applicable interest as this Hon'ble Tribunal deems fit on the delayed payment of retiral dues, namely:

- *Leave encashment*
- *Gratuity*
- *Commutation of pension*
- *Arrears of pension*

Calculating the delay from the date of entitlement (31.10.2022) till the actual dates of payment.

ii. Issue an order or direction, directing the Respondents to refund the illegally recovered amount of Rs. 19,131/- deducted from the gratuity of the Petitioner with interest.

iii. To award costs of the Petition.

iv. To grant any other relief as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case."

2. Petitioner is retired Accountant of Uttarakhand Power Corporation Ltd. (for short, UPCL). He retired on 31.10.2022. His retiral dues were not paid on time. Petitioner has mentioned the details of his retiral dues at para 4.12 of the petition, as under:

Sl. No.	Fund	Amount Due	Due Date	Payment Date
1.	Leave Encashment	Rs.12,74,936	31.10.2022	04.06.2023
2.	Gratuity	Rs.20,00,000	31.10.2022	13.09.2023
3.	Commutation of Pension	Rs.20,96,353	31.10.2022	13.09.2023
4.	Payment of Pension	Rs.7,52,596	31.10.2022	13.09.2023

3. The petitioner has, therefore, prayed for interest on delayed payment of his retiral dues.

4. Claim petition is supported by the affidavit of the petitioner. Relevant documents have been filed along with the same.

5. Sri Manish Kumar Singh, Advocate, representing UPCL, submitted that petitioner has already filed a representation on 13.10.2024 (Annexure: A 6) to the Managing Director, UPCL. A direction may be given to the Respondent Corporation to decide such representation, as per law.

6. It is trite law that the payment of retiral dues is not a bounty. If the retiral dues are not paid on time, respondent department is bound to pay interest on delayed payment, as has been held by the Hon'ble Apex Court in catena of decisions, including Civil Appeal No. 7113 of 2014, D.D.Tiwari (D) Thr. Lrs. vs. Uttar Haryana Bijli Vitran Nigam Ltd. and Others, 2014 (5) SLR 721 (SC). Copy of the decision has been brought on record as Annexure: A 5 to the claim petition.

7. *Prima facie*, it appears to be a case of delayed payment of retiral dues, on the basis of documents thus filed on behalf of petitioner.

8. What should be the rate of interest on delayed payment of such retiral dues?

9. The Government of Uttarakhand itself has issued a Govt. Order on 10.08.2004 that the amount of interest on delayed payment of pension and gratuity shall be the prevalent rate of interest of GPF. It is not in dispute that the UPCL has not adopted such G.O.

10. The claim petition is disposed of at the admission stage, by directing the Respondent Corporation to pay interest to the petitioner on delayed payment of retiral dues. The rate of interest shall be the prevalent rate of interest of GPF in view of G.O. dated 10.08.2004.

11. Since the claim petition is being disposed of at the admission stage, without calling upon the respondents to file C.A., therefore, Respondent Corporation is permitted to file review against this order, if the facts mentioned in the claim petition and in this judgment relating to payment for retiral dues and dates thereof are found to be otherwise.

(ARUN SINGH RAWAT)
VICE CHAIRMAN (A)

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: JANUARY 02, 2026
DEHRADUN

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