

**BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL
AT DEHRADUN**

CLAIM PETITION NO. 48/SB/2025

Smt. Neelima Sharma, w/o Sri Ved Prakash Sharma, Address-253,
Sarathi Vihar, Haridwar Road, Dehradun.

.....Petitioner

versus

1. State of Uttarakhand through Secretary, Transport, Government of Uttarakhand, Secretariat, Subhash Road, Dehradun.
2. Uttarakhand Road Transport Corporation through its Managing Director, HQ Uttarakhand Transport Corporation UCF Sadan, 2nd Floor, Parivahan Bhawan, Kulhan, Shastradhara Road, Dehradun-248001.
3. General Manager (Technical), Address - HQ Uttarakhand Transport Corporation, UCF Sadan, 2nd Floor, Parivahan Bhawan, Kulhan, Shastradhara Road, Dehradun – 248001.
4. Deputy-General Manager (Legal), Address HQ Uttarakhand Transport Corporation, UCF Sadan, 2nd Floor, Parivahan Bhawan, Kulhan, Shastradhara Road, Dehradun.

..... Respondents

Present: Sri Rohit Srivastava (online) and Sri S.C. Joshi, Advocates,
for the Petitioner
Sri V.P. Devrani, A.P.O., for the Respondent No. 1
Sri Vaibhav Jain, Advocate, for respondents no. 2 to 4

JUDGEMENT

Dated: 01st May, 2025

Justice U.C. Dhyani (Oral)

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

“(i) Issue an order or direction to the respondents to pay the interest amount on delay gratuity amount of Rs,. 5,92,761/- along with 12% interest till date of actual realization of the amount.

(ii) Issue an order or direction to the respondents to pay the compensation of Rs. 50,000/- with additional cost of litigation expenses to petitioner for causing mental harassment and agony.

(iii) Issue any other order or direction which this Hon’ble Tribunal may deem fit and proper in the circumstances of the case.

(iv) To award the cost of the petition in favour of the petitioner.”

2. Petitioner has filed affidavit in support of his claim petition. Relevant documents have been filed in support of the same.

3. It is the submission of learned Counsel for the petitioner that retiral dues have although been paid to the petitioner but interest on delayed payment of such retiral dues remains unpaid. He further submitted that present claim petition has been filed only for interest on delayed payment of retiral dues.

4. Sri Vaibhav Jain, learned Counsel for Uttarakhand Transport Corporation submitted that if the petitioner is found entitled to interest, as per law, then the same shall be paid to her in the light of decision rendered by Hon’ble High Court of Uttarakhand in WPSS No. 1593/2021, Balam Singh Aswal vs. Managing Director and others and connected writ petitions, which has been affirmed by the Division Bench of Hon’ble High Court in Special Appeal No. 245/ 2022, Managing Director, Uttarakhand Transport Corporation, Dehradun and others vs. Ashok Kumar Saxena and connected Special Appeals.

5. Executing Court cannot travel beyond decree or decision given earlier. Executing Court is only for the sake of executing the earlier order and cannot travel beyond that.

6. The claim petition is disposed of, at the admission stage, with the consent of learned Counsel for the parties, by directing respondent-Corporation that if the petitioner is found entitled to interest on delayed payment of retiral dues as per the above

mentioned decision rendered by the Hon'ble High Court, on the basis of which this Tribunal has decided the earlier claim petitions, the same may be paid to her as per law.

No order as to costs.

(Justice U.C. Dhyani)
Chairman

DATE: 01st May, 2025
DEHRADUN
RS