



§~43 & 44

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 02.12.2025

(43)+ W.P.(C) 8192/2025 & CM APPL. 35874/2025

MAHANAGAR TELEPHONE NIGAM LIMITED AND ORS

.....Petitioners

Through: Ms. Sarita Mehta, Adv.

versus

VIMAL KISHORE MISHRA AND ORS

.....Respondents

Through: None.

(44)+ W.P.(C) 15856/2025 & CM APPL. 64917/2025

UNION OF INDIA AND ORS

.....Petitioners

Through: Mr. Ashish K. Dixit, CGSC
with Mr. Umar Hashmi &
Ms.Iqra Sheikh, Advs.

versus

VIMAL KISHORE MISHRA AND ORS

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

1. The petition in W.P.(C) 15856/2025 has been filed challenging the Order dated 02.09.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. No. 1168/2021, titled *Vimal Kishore Mishra and Ors. v. Union of India and Ors.*, by which the learned Tribunal had allowed the O.A. filed by the respondents herein, and taking into account that there was a delay in release of the retiral



benefits to the respondents, the petitioners were directed to pay interest on the same on applicable GPF rates.

2. The petition in W.P.(C) 8192/2025 challenges the Order dated 06.01.2023 passed by the learned Tribunal by which the review application filed by the petitioners, being R.A. No. 132/2024, titled ***Chairman and Managing Director, MTNL & Ors, v. Vimal Kishore Mishra & Ors.*** in O.A. No. 1168/2021, has been dismissed by the learned Tribunal.

3. The learned counsel for the petitioners submits that the learned Tribunal has failed to appreciate that the period of delay in release of the retiral benefits was when the entire country was suffering from COVID-19 restrictions.

4. She further submits that almost 90% of the payments due had been released to the respondents, *albeit* in installments, and it was only due to lack of funds from the Ministry of Communication that the full payment could not be made to the respondents.

5. She further submits that Clause 8 (viii) of the Mahanagar Telephone Nigam Limited Voluntary Retirement Scheme 2019 (hereinafter referred to as 'Retirement Scheme') states that the benefits payable under the said Retirement Scheme are in full and final settlement of all claims of whatsoever nature; therefore, there was no provision for further payment of interest on these amounts.

6. We have considered the submissions made by the learned counsel for the petitioners, however, find no merit in the same.

7. Admittedly, there was a delay on part of the petitioners to release the retiral benefits to the respondents in terms of its Retirement



Scheme. COVID-19 did not affect only the petitioners, it equally affected the respondents, who, having served long period of time with the petitioners, had taken voluntarily retirement and were, in our view, more urgent and necessary requirement of funds. Therefore, COVID-19 or non-receipt of requisite funds from the Government of India, cannot be a ground to deny timely payment of retiral benefits to the respondents.

8. As far as Clause 8 (viii) of the Retirement Scheme is concerned, we quote the same as under:

“8. GENERAL CONDITIONS:

xxx

(viii) The benefits payable under this scheme shall be in full and final settlement of all claims of whatsoever nature, whether arising under the scheme or otherwise.”

9. In the present case, the learned Tribunal has directed payment of interest for the delayed payment of retiral benefits owed to the respondents, therefore, Clause 8 (viii) of the Retirement Scheme would have no application to such a situation.

10. In view of the above, we find no merit in the present set of petitions. The same are accordingly, dismissed.

11. Pending applications stand disposed of.

NAVIN CHAWLA, J

MADHU JAIN, J

DECEMBER 2, 2025/ys/k/ik