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

% Date of decision:12th November, 2025

\+ W.P.(C) 16248/2022

HITESH RAJPAL .....Petitioner

Through: Mr. Ajit Kumar Nair, Adv.

versus

MUNICIPAL CORPORATION OF DELHI & ANR. .....Respondents

Through: Mr. Ashish Tiwari, Adv. for R1.
Mrs. Avnish Ahlawat, SC with Mr. N K Singh & Ms. Aliza Alam, Adv. for R2.

CORAM:
HON'BLE MR. JUSTICE AVNEESH JHINGAN

AVNEESH JHINGAN, J. (ORAL)

1. This petition was filed seeking directions to the respondents for release of terminal benefits of the late wife of the petitioner (for short 'the deceased') and further interest is sought on the delayed payment. There is also a prayer for awarding compensation for delay in releasing the terminal benefits.

2. The brief facts are that the deceased was appointed as Assistant Teacher with respondent no.1/MCD in the year 1992 and was promoted as Trained Graduate Teacher, N.Sc. (for short 'T.G.T.) in Govt. Co. Ed. Sr. Sec. School, Bakkarwala, New Delhi with respondent no.2/Govt. of NCT of Delhi. On 05.12.2001, the deceased died in a road accident. On 21.08.2014, the petitioner got a succession certificate in favour of his daughter and himself. In spite of pursuing for release of terminal benefits, the needful was not done. Hence, the present petition.

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3. Learned counsel for the petitioner fairly submits that during the pendency of the petition, due amount has been released; however, relies upon the decision of this Court in the cases of **Chairman, Arya Girls Senior Secondary School v. Director & Ors. 2022 LawSuit(Del) 147, Uttim Lal Singh v. UOI and Others (2023) DHC 8017** and a decision of the Karnataka High Court in the case of **Sri Vishwas K. S. v. State of Karnataka & Ors. 2025 SCC OnLine Kar 11646** to claim interest and compensation for delay in payment.

4. Learned counsel for respondent no.1 states that the deceased joined as T.G.T. on 19.07.2001 and was employed with respondent no.2. Contention is that the GPF amount was paid vide cheque dated 11.01.2023 to respondent no.2.

5. Learned counsel for respondent no.2 contends that the deceased after promotion failed to obtain a new GPF account number and the GPF passbook along with copy of transfer orders, consequently, the cheque given by respondent no.1 could not be deposited in the account of the deceased. Respondent no.1 was directed to transfer the GPF amount directly into the account of the petitioner.

6. The terminal benefits have been released during the pendency of the petition and no further orders are called for.

7. The prayer for interest on delayed payment and for compensation involves factual aspects that need to be examined. However, it cannot be lost sight of the fact that in spite of a succession certificate dated 21.08.2014 obtained by the petitioner, the amount was released in the year 2023. There is an attempt by respondent no.1 and 2 to pass the buck but the fact remains that there has been delay

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and it needs consideration as to whether any period of delay is attributable to the petitioner.

8. Let the petitioner file a detailed representation claiming interest and compensation for delayed payment of the terminal benefits within four weeks from today. The competent officers, one each from respondent no.1 and 2 shall consider the representation of the petitioner in accordance with law expeditiously and not later than eight weeks from the receipt of the representation. In case the petitioner is found entitled to the payment of interest and compensation, the amount shall be credited in the account of the petitioner within two weeks thereafter.

9. It is clarified that inter se disputes between respondent no.1 and 2 as to who is liable to pay the interest and compensation, if found due, shall not delay the payment to the petitioner. Let the payment be made jointly and severally with liberty to the respondents to agitate the issue of inter se liability amongst themselves.

10. The reliance of learned counsel for the petitioner on the judgements cited above need not be considered at this stage and can be pressed into service before the authorities deciding the representation.

11. This writ petition is disposed of.

AVNEESH JHINGAN, J.

NOVEMBER 12, 2025
Ch

Reportable:- **Yes**

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