



2025:DHC:1617-DB



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

+ W.P.(C) 17591/2024 & CM APPL. 74848/2024

DR. SUSHIL KUMAR GUPTAPetitioner
Through: Mr. Umesh Singh, Adv.

versus

MUNICIPAL CORPORATION OF DELHIRespondent
Through: Ms. Shivangi Kumar, Mr.
Gaurav Kumar Arya, Mr. Ismat Chughtai,
Adv.

+ W.P.(C) 17592/2024 & CM APPL. 74851/2024

DR. RASHMI S. CHANDERPetitioner
Through: Mr. Umesh Singh, Adv

versus

MUNICIPAL CORPORATION OF DELHIRespondent
Through: Ms. Shivangi Kumar, Mr.
Gaurav Kumar Arya, Mr. Ismat Chughtai,
Adv.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER (ORAL)

11.03.2025

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C. HARI SHANKAR, J.

1. These writ petitions assail identical orders passed by the Central Administrative Tribunal¹ by which, while directing grant of payment

¹ "the Tribunal" hereinafter



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of delayed retiral benefits to the concerned petitioners, the Tribunal has awarded interest only from the expiry of three months from the passing of the order, @ 7.5 % from expiry of three months till the expiry of six months and @ 12% thereafter till the date of payment.

2. Aggrieved thereby and contending that the petitioners would be entitled to interest from the date of their superannuation, these writ petitions have been filed.

3. We have had occasion to decide an identical matter in WP(C) 15561/2024².

4. We have held, in the said decision, following our earlier judgment in *MCD v Bijender Singh*³, that a retired employee who has not been disbursed retiral benefits would be entitled to interest from the date of retirement.

5. As such, we modify the order passed by the Tribunal by holding that the interest at the rate of 7.5% would be reckoned from the date of the petitioners' superannuation, and not from the expiry of three months from the order of the Tribunal, till the date when the principal amount of the retiral dues was/is paid. We clarify that the direction for increase in the rate of interest to 12% p.a., in the event the amount is not/has not been paid before the expiry of six months from the date of the judgement of the Tribunal, stands as it is.

² Dr Priya Vrata v MCD.

³ 2024 SCC OnLine Del 7716



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6. The writ petitions stand allowed accordingly.

C. HARI SHANKAR, J.

AJAY DIGPAUL, J.

MARCH 11, 2025

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Click here to check corrigendum, if any