



2025:DHC:6062-DB



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

Date of decision: 24.07.2025

+ W.P.(C) 7007/2025 & CM APPL. 31575/2025

DR. ALOK PRADHANPetitioner

Through: Mr.Ankit Bhadoria, Mr.Umesh
Singh, Ms.Karishma Singh,
Mr.V.P. Sain, Mr.Ashok Nagar,
Mr.Sunil, Advs

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Dr. Divya Swamy, SC for
MCD, Mr. Yagyawalkya Singh,
Ms. Akriti Singh, Mr. Rishav
Ranjan

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed by the petitioner, challenging the Orders dated 17.05.2024 and 07.11.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the, 'Tribunal') in O.A. No. 2201/2023, titled *Dr.Rajni Kant Verma v. Municipal Corporation of Delhi*.

2. By the Order dated 17.05.2024, the learned Tribunal, while allowing the said O.A. filed by the petitioner for the grant of his retiral benefits, issued the following directions:

"6. In the light of the above facts and circumstances of the case, it is an undisputed fact that there has been delay in releasing the retiral dues to the applicant. Therefore, on the



basis of well settled law, as enumerated herein above, all the OAs are disposed with a direction to the respondents to release all remaining retiral benefits due to the applicants from the date of their retirement. While doing so, the respondents shall provide to the applicants due and drawn statement. Interest for delayed payment, at this state, cannot be acceded to as we are informed that the MCD is facing acute financial crises. This exercise shall be done within a period of three months from the date of receipt of a certified copy of this order, failing which all the applicants shall be entitled to interest @12% from the date of expiry of period of three months as stated herein above. If there is any further delay beyond the period of six months, then the applicants shall be entitled for interest at the rate of 12% instead of at the rate of 7.5%”.

(Emphasis Supplied)

3. As there was a typographical error in the said orders with respect to the rate of interest, the petitioner moved an application seeking correction thereof, which was allowed by the Order dated 07.11.2024 passed by the learned Tribunal, correcting the rate of interest that had been granted to the petitioner.

4. The limited grievance of the petitioner in the present petition is that although the respondent was admittedly in default of releasing the retiral benefits to the petitioner, it was granted an additional period of three months to make the payment solely on the ground of its alleged financial constraints. The learned counsel for the petitioner submits that the retiral benefits cannot be denied or delayed to the petitioner on the ground of the financial constraints of the respondent, and that in the event of delay, the petitioner is entitled to interest from the date on which the retiral benefits became due.



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5. The learned counsel for the respondent prays for time to file the counter-affidavit to explain the financial constraints of the respondent.

6. We are not inclined to grant such time to the respondent. The retiral benefits due to the petitioner cannot be withheld solely on the ground of the financial constraints of the respondent and, therefore, the interest liability shall accrue against the respondent and in favour of the petitioner from the date such retiral benefits became due and payable to the petitioner. This Court, in *Dr. Priya Vrata v. Municipal Corporation of Delhi through Commissioner*, 2025:DHC:1509-DB, has already considered this issue and held that interest shall be payable from the date the retiral dues became payable to the petitioner.

7. We, therefore, dispose of this petition by directing that the respondent shall pay the interest, as awarded by the learned Tribunal, to the petitioner from the date such retiral dues of the petitioner became due and payable.

8. At this stage, the learned counsel for the respondent submits that the payments, as directed by the learned Tribunal, have already been released to the petitioner. Without entering into these issues, the respondent is directed to pay the balance amount, if any, in terms of this judgment to the petitioner within a period of eight weeks.

9. The petition, along with the pending application, is disposed of in the above terms.

NAVIN CHAWLA, J

MADHU JAIN, J

JULY 24, 2025/rv/DG