

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP (C) No. 1321/2025

- 1. UT of J & K through** Applicant(s)/Petitioner(s)
Principal Secretary to Govt.,
School Education Department,
Civil Secretariat, Jammu.
- 2. Principal Secretary to Govt.,**
School Education Department,
Civil Secretariat, Jammu.
- 3. Director School Education, Jammu.**
- 4. Chief Education Officer, Ramban.**

Through :- Mr. Raman Sharma, AAG with
Ms. Saleeqa Sheikh, Advocate

v/s

Satya Dev Singh, Aged 61 years, ...Respondent(s)
S/o Jag Dev Singh,
R/o Samthi, Tehsil Kashtigarh,
District Doda.

Through :- Mr. R D Singh Bandral, Advocate

CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

ORDER
17.09.2025

1. Impugned in this petition filed by UT of J & K & three others under Article 226 of the Constitution of India is an order and judgment dated 02.05.2024 passed by the Central Administrative Tribunal, Jammu Bench, Jammu [**“the Tribunal”**] in OA No. 61/267/2020 c/w OA No. 61/455/2020 titled *“Satya Dev Singh Vs. UT of J & K & Ors.”*, whereby, the Tribunal has held the respondent entitled to interest on the delayed payment of his retiral benefits from October 2018 till the date of actual payment i.e. November 2021.
2. The impugned order is challenged by the petitioners, primarily on the ground, that the Tribunal has not appreciated the fact that the

delay in disbursement of the post-retiral benefits in favour of the respondent was due to impending enquiry against him which came to be finalized only on 16.04.2019, when the respondent was reinstated in service with a penalty of deduction of one increment from his overall salary and a fine of Rs. 10,000/-.

3. Having heard learned counsel for the parties and perused the material available on record, **we are of the considered opinion that so far as the delay in processing the pension case of the respondent w.e.f. 30.09.2018 till 16.04.2019 is concerned, the same was for justifiable reasons.** On account of some misconduct, the respondent was placed under suspension on 26.06.2018 and enquiry was ordered against him. The enquiry culminated into holding the respondent guilty of the charge and, accordingly, vide Govt. Order No. 163-Edu of 2019 dated 16.04.2019, the respondent was reinstated into service with a penalty of deduction of one increment from his overall salary along with a fine of Rs. 10,000/-.
4. As is apparent, the respondent was placed under suspension on 26.06.2018 and the enquiry initiated against him culminated into passing of the final order on 16.04.2019. The period of ten months taken to conclude the enquiry proceedings cannot by any stretch of reasoning be said to be unreasonable or unjustified and it is because of this pending enquiry, the post-retiral benefit of the respondent could not be settled. However, we see no good reason coming forth as to why the pension case of the respondent was not immediately processed and the retiral benefits paid to the respondent in the

month of April 2019, more particularly, when there was no impediment in the grant of such post-retiral benefit.

5. For the foregoing reasons, we partially allow this petition and modify the judgment impugned by providing as under:

“That the respondent shall be entitled to an interest @ 7% per annum on the delayed payment of retiral benefits to be calculated w.e.f. 16.04.2019 till November 2021.”

6. *Disposed of, accordingly.*

(Sanjay Parihar)
Judge

(Sanjeev Kumar)
Judge

JAMMU
17.09.2025
Manan

