

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(387)

CWP No.6298 of 1998 (O&M)
Date of Decision:- 16.09.2015.

Banarsi Dass Verma

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: None for the petitioner.

Mr. Vaibhav Sharma, DAG, Punjab.

P.B. BAJANTHRI, J.(Oral)

In this petition, the petitioner has prayed for direction to the respondents to pay interest on belated settlement of retiral benefits. The petitioner is stated to have retired on 31.03.1996.

Short question for consideration in this matter is relating to entitlement of interest on belated settlement of retiral benefits. The respondents are duty bound to settle the retiral benefits of an employee as soon as he retired from service. For want of records and for calculation purpose, at the most they can avail one or two months.

In the present case, there is a delay of more than one year for no reasons. Therefore, learned counsel for the petitioner submitted that the

petitioner is entitled to interest on belated settlement of retiral benefits @ 18% per annum.

On the other hand, learned State counsel submitted that there was no intentional delay in settling retiral benefits belatedly. It was argued that due to administrative reasons there is a delay in settling retiral benefits of the petitioner. Therefore, it was resisted that petitioner is not entitled to interest on retiral benefits.

In view of the facts and circumstances, it was noticed that petitioner retired in the month of March, 1996. His retiral dues were settled in the month of June and July, 1997. Consequently, the petitioner is entitled to interest on the belated settlement of retiral dues like gratuity, GPF, pension, for the period from April, 1996 to July 1997 and on commutation of pension. Interest shall be calculated @ 9% per annum and the same shall be disbursed within a period of 10 weeks' failing which the petitioner is entitled to cost of Rs.5000/-.

Accordingly, writ petition is disposed of.

16.09.2015
pooja saini

(P.B.BAJANTHRI)
JUDGE