

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

CWP-16203-2012 (O&M)
Date of decision : 13.03.2015

Samarjit Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Manu K. Bhandari, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

JITENDRA CHAUHAN, J. (Oral)

In the instant petition filed under Article 226 of the Constitution of India, the petitioner has claimed interest for the delayed payment for the period from 31.03.2009 to 21.06.2011.

The petitioner was holding the post of E.T.O. He retired from service upon attaining the age of superannuation on 31.03.2009. The grievance of the petitioner is that the pensionary/retiral benefits, which became due to him on the date of his superannuation, were, in fact, released to him on 21.06.2011.

In the written statement filed on behalf of the respondents, it is averred that the matter remained pending for consideration at various forums.

The petitioner earlier approached this Court by way of

filing CWP-15076-2009, wherein, this Court held as under:-

“In case, the petitioner is exonerated and the show cause notices etc. are dropped, the withheld retiral benefits of the petitioner shall also be released by 30.06.2010.”

The petitioner was ultimately exonerated and chargesheet against the petitioner was filed by the Financial Commissioner, Taxation, vide order dated 18.03.2011.

Thus, there is a clear delay in payment of the retiral benefits. In the circumstances, the present petition is allowed and the petitioner is held entitled to interest @ 8% p.a. on his retiral dues, from the date of his retirement till the same are paid.

Disposed of.

13.03.2015
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(JITENDRA CHAUHAN)
JUDGE