

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

CWP No. 16669 of 2012 (O&M)

Date of decision: 25.05.2015

Madan Lal Mittal

...Petitioner

Versus

Dakshin Haryana Bijli Vitran Nigam and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Rose Gupta, Advocate for the petitioner.

Mr. P.S. Poonia, Advocate for the respondents.

Jitendra Chauhan, J. (Oral)

By way of the instant writ petition, under Articles 226/227 of the Constitution of India, the petitioner seeks issuance of directions to the respondents to pay the interest on the delayed payment of pensionary benefits.

The learned counsel for the petitioner contends that the petitioner retired as Store Keeper from the office of Controller of Stores on 31.05.2002. The learned counsel refers to Annexure P-25, the payment chart and states that the pensionary benefits were released in the year 2010-2011, however no interest on the delayed payment has been paid so far.

On the other hand, the learned counsel for the

respondents, states that the benefits could not be released as the SLP was pending before the Hon'ble Apex Court. Now the SLP preferred by the respondents stands dismissed.

Heard.

It is not in dispute the the petitioner retired on 31.05.2002, whereas, the retiral benefits were released in the year 2010-11, after a delay of 8-9 years, without any justification.

In the circumstances, the present petition is allowed in terms of the ratio of law laid down in case *The Financial Commissioner and Principal Secretary to Govt. of Haryana, Irrigation Department, Civil Secretariat, Chandigarh Vs. Hasan Singh Kanwar*, 2010(1) SLR 788. The petitioner is held entitled to interest @ 8% p.a., on account of delayed payment of retiral benefits from the date of retirement till its payment. Needful be done within a period of four months after the receipt of a certified copy of this order.

25.05.2015

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(JITENDRA CHAUHAN)
JUDGE