

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

CWP-11047-2014 (O&M)
Date of decision : 12.05.2015

Dr. Manjit Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. H.S. Dhindsa, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

JITENDRA CHAUHAN, J.

By way of the present writ petition under Articles 226/227 of the Constitution of India, the petitioner has sought grant of interest on the delayed payment of retiral dues.

The learned counsel cites *The Financial Commissioner, Haryana Vs. Hasan Singh Kanwar, 2010(1) SLR 788*.

On the other hand, the learned State counsel submits that the petitioner was issued show cause notice by respondent No.1 vide endorsement dated 18.07.2007, therefore, the retiral dues were withheld. He further informs that consequent upon dropping of the said notice, all the dues have been paid to her.

Heard.

The retiral benefits of the petitioner were withheld on account of the proceedings launched against the petitioner. However, vide Annexure P-1 dated 16.02.2010, the competent authority took a decision to file the show cause notice and the proceedings were dropped. Admittedly, the proceedings were initiated and dropped by the respondents whereas, the petitioner had no role either in the initiation of the proceedings or when the order, Annexure P-1, vide which the proceedings were dropped.

In the circumstances, the petitioner shall be entitled to interest at the rate of 8% per annum from the date of her retirement, till the payment of the retiral dues. The amount so calculated shall be payable to the petitioner within a period of four months from the date of receipt of a certified copy of this order.

Disposed of.

12.05.2015
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(JITENDRA CHAUHAN)
JUDGE