

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

234

CWP No.13654 of 2014

Date of decision: 12.05.2015

Mrs. Sudesh Kumar Arora

....Petitioner

versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. V.K. Sharma, Advocate for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

DAYA CHAUDHARY, J. (Oral)

The present petition has been filed for issuance of a writ in the nature of mandamus directing the respondents to grant interest to the petitioner on delayed amount of pension as well as other retiral benefits.

Learned counsel for the petitioner submits that the petitioner retired on 30.06.2011 and the retiral benefits have been released after a long delay and as such the petitioner is entitled for interest.

Learned State counsel submits that the petitioner has concealed the material fact that the petitioner retired on 30.06.2011 but she did not submit her pension papers well in time. He further submits that inspite of asking time and again, the documents were submitted by the petitioner on 25.07.2013 i.e. after two years from the date of her retirement. He further submits that after completing all formalities, all necessary payments have been released to the petitioner within a period of one year and as such, the petitioner is not entitled to any interest.

Heard arguments advanced by learned counsel for the parties and have also perused the documents available on the file.

Admittedly, the petitioner retired on 30.06.2011. It is also not disputed that the pension papers, which were required to be furnished by the petitioner six months prior to the date of her retirement, have not been furnished well in time and she submitted the relevant documents on 25.07.2013 i.e. after two years from the date of her retirement and as such, the delay on the part of the petitioner herself. After completing all formalities, the necessary payments have been released to the petitioner within a period of one year. It cannot, therefore, be said that the delay has occurred due to fault on the part of the respondent-department in releasing the payment when the petitioner herself is at fault in not furnishing the documents well in time.

Accordingly, there is no merit in the present petition and the present petition being devoid of any merit is hereby dismissed.

(DAYA CHAUDHARY)
JUDGE

May 12, 2015
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