

CWP No. 16344 of 2013

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

CWP No. 16344 of 2013

Date of decision : 13.01.2015

Balwinder Singh Rai

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present:- Ms. D.S.Sandhu, Advocate
for the petitioner.

Mr. L.S.Virk, Addl. A.G. Punjab.

AMOL RATTAN SINGH, J. (Oral)

It is not in dispute that retiral benefits had become due to the petitioner, upon his retirement on 30.04.2011, but were not paid due to a dispute with regard to fixation of his pay, on account of some increment wrongly granted to him, which matter remained in dispute till 28.04.2011, i.e. two days prior to his retirement, consequent upon which, obviously, some delay in release of benefits can be expected.

Even giving the fact that it would take 6 months (though that is a rather long period) for all formalities to be completed, as submitted by learned State counsel, factually, the petitioners' retirement dues were paid to

him on two dates, i.e. on 20.03.2012 and 06.06.2012.

Learned counsel for the petitioner further submits that those dues were also released to him only after he was forced to first file a writ petition and thereafter a Contempt Petition (COCP No. 248 of 2012).

Keeping in view the above, it is directed that the petitioner would be paid interest at statutory rates on delayed release of provident fund and gratuity w.e.f. 31.10.2011 and @ 7% per annum on all other heads of retirement dues, as are not covered by any statutory rate of interest, also starting from 31.10.2011, till the date actual payment was made, under each head.

The said interest be calculated with a period of 2 months from the date of receipt of a certified copy of this order and payment be made within aforesaid period of two months.

Disposed of.

13.01.2015

amit rana

**(AMOL RATTAN SINGH)
JUDGE**