

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

CWP No. 19729 of 2013 (O&M)

Date of decision: 24.07.2015

Gurjit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Amrik Singh, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By way of the instant writ petition, under Article 226 of the Constitution of India, the petitioner seeks issuance of directions to the respondents to pay the interest @ 18% p.a., on the delayed payment of pensionary benefits.

The learned counsel for the petitioner contends that the petitioner retired as Sub Divisional Engineer on 30.11.2010. The pensionary benefits have been released in favour of the petitioner after a delay of more than 2½ years. 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 on account

of pendency of departmental inquiry against the petitioner, which has now been withdrawn against him.

Heard.

It is not in dispute the the petitioner retired on 30.11.2010, whereas, the retiral benefits were released in the year 2011-12, after a delay of 2 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 and *A.J. Randhawa Vs. State of Punjab*, 1998(1) SCT 343. 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 actual payment. Needful be done within a period of three months after the receipt of a certified copy of this order.

24.07.2015

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(JITENDRA CHAUHAN)
JUDGE