

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

**1) Civil Misc. No.614 of 2015 in/and  
CWP No.20201 of 2014 (O&M)  
Date of Decision : 08.04.2015**

Darshana Devi and others ....Petitioners

Vs.

Punjab Water Resources Management & Development Corporation  
Limited and another ...Respondents

**2) CWP No.25673 of 2014**

Sukhdev Singh and another ....Petitioners

Vs.

Punjab Water Resources Management & Development Corporation  
Limited and others ...Respondents

**3) CWP No.24374 of 2014**

Avtar Singh and others ....Petitioners

Vs.

Punjab Water Resources Management & Development Corporation  
Limited ...Respondent

**4) CWP No.24483 of 2014**

Jeet and others ....Petitioners

Vs.

Punjab Water Resources Management & Development Corporation  
Limited ...Respondent

**5) CWP No.24470 of 2014**

Puran Singh and others

....Petitioners

Vs.

Punjab Water Resources Management & Development Corporation  
Limited

...Respondent

6)

**CWP No.25108 of 2014**

Rachna

....Petitioner

Vs.

Punjab Water Resources Management & Development Corporation  
Limited

...Respondent

7)

**CWP No.24118 of 2014**

Tara Singh and others

....Petitioners

Vs.

Punjab Water Resources Management & Development Corporation  
Limited and others

...Respondents

8)

**CWP No.24638 of 2014**

Sita Ram and others

....Petitioners

Vs.

Punjab Water Resources Management & Development Corporation  
Limited and others

...Respondents

9)

**CWP No.24676 of 2014**

Nirmal Dass

....Petitioner

Vs.

Punjab Water Resources Management & Development Corporation  
Limited and others

...Respondents

10)

**CWP No.25516 of 2014**

Basant Singh and others ....Petitioners

Vs.

Punjab Water Resources Management & Development Corporation  
Limited and others ...Respondents

**11) CWP No.25550 of 2014**

Kewal Singh ....Petitioner

Vs.

Punjab Water Resources Management & Development Corporation  
Limited and others ...Respondents

**12) CWP No.26492 of 2014**

Darshan Singh and others ....Petitioners

Vs.

Punjab Water Resources Management & Development Corporation  
Limited ...Respondent

**13) CWP No.26823 of 2014**

Taran Paul Singh ....Petitioner

Vs.

Punjab Water Resources Management & Development Corporation  
Limited ...Respondent

**14) CWP No.26875 of 2014**

Rajinder Krishan ....Petitioner

Vs.

Punjab Water Resources Management & Development Corporation  
Limited and another ...Respondents

**15) CWP No.2434 of 2014**

Manmohan Singh ....Petitioner

Vs.

Punjab Water Resources Management & Development Corporation  
Limited and others ...Respondents

**16) CWP No.3088 of 2015**

Ramesh Chand ....Petitioner

Vs.

Punjab Water Resources Management & Development Corporation  
Limited ...Respondent

**17) CWP No.3076 of 2015**

Ramesh Kumar ....Petitioner

Vs.

Punjab Water Resources Management & Development Corporation  
Limited ...Respondent

**18) CWP No.663 of 2015**

Joginder Singh ....Petitioner

Vs.

Punjab Water Resources Management & Development Corporation  
Limited ...Respondent

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.**

**Present:** Mr. A.S. Walia, Advocate  
for the non-applicant- petitioners  
(in CWP No.20201, 25673, 24374, 24483, 24470, 26492  
of 2014 and CWP Nos.3088, 3076 and 663 of 2015)

Mr. Vinod K. Kaushal, Advocate  
for the petitioners in CWP Nos. 25108, 24118, 24638,  
24676, 25516, 25550 of 2014.

Mr. Anupam Singla, Advocate for the petitioner  
in CWP Nos.26823 of 2014

Mr. R.K. Arora, Advocate for the petitioner  
in CWP No.26875 of 2014.

Mr. Rajbir Singh, Advocate for the petitioner  
in CWP No.2434 of 2014.

Mr. Manish Joshi, Advocate &  
Mr. I.S. Sidhu, Advocate for  
applicant-respondent No.1-Corporation.

Mr. P.S. Bajwa, Addl. Advocate General, Punjab  
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**Amol Rattan Singh, J (Oral)**

This application (Civil Misc. No.614 of 2015 in CWP No.20201 of 2014) seeks modification of the interim order dated 29.10.2014 passed by this Court, wherein, while granting time to the respondents to file a reply, it has been directed that leave encashment and interest on delayed payment thereof would be paid to the petitioners in terms of the statement made by the Managing Director of the respondent-Corporation, in CWP No.1547 of 2013.

Learned counsel for the applicant-respondent No.1 submits that in view of the tight financial condition of the respondent-Corporation, the interest may be waived off since the principal amount due to most of the petitioners has already been paid.

During the course of arguments, learned counsel for the respondents have relied upon a judgment of a coordinate Bench of this Court, passed in CWP No.3089 of 2015, titled as **Surjit Singh Vs. Punjab Water Resources Management and Development Corporation Limited**, by which it had been directed that the petitioner in that petition would make a representation to the Corporation for payment of interest on the delayed payment of leave encashment due to him and in case it is not met, he would be at liberty to approach the Civil Court for the relief that he is seeking for.

Learned counsel for the non-applicant-petitioners, on the other hand, have drawn attention of this Court to the directions already issued by this Court in CWP No.18960 of 2014, on 29.10.2014, wherein 12% interest was held to be payable to the petitioners in that case, on the ground that there could be no discrimination between the petitioners of one case from another and since the Managing Director of the Corporation had already made a statement in the aforementioned case that 12% interest would be paid, the same rate of interest was awarded.

Learned counsel for the respondents have also relied upon an order, also of this very Bench passed in CWP No.442 of 2015, on 13.01.2015, wherein only interest @ 7% per annum was awarded on the delayed retirement benefits under various heads, where no statutory

rate of interest is payable.

Obviously, this order is after the one passed in CWP No.18960 of 2014.

After arguing for a while, learned counsel for the parties are agreed, on instructions, that interest @ 7% be awarded to the petitioners in this case, as also in the other connected cases, i.e. CWPs No.25673, 24374, 24483, 24470, 24118, 24638, 24676, 25516, 25550, 26492, 26823, 26875, 2434 of 2014 and CWP Nos.3088, 3076 and 663 of 2015, on the delayed payment of leave encashment. However, wherever the amount of gratuity has not been paid, interest on the delayed payment of gratuity be paid at statutory rates.

It is, further, not disputed by the learned counsel for the respondents, that the amounts which the petitioners are claiming as gratuity and leave encashment, are actually due to them. Hence, nothing further survives in these petitions, as only the rate of interest on delayed payment was the bone of contention, the principal amount already having been paid earlier.

Consequently, this petition, as also other connected matters aforementioned, are disposed of with a direction to the respondents to pay interest @ 7% per annum on delayed payment of leave encashment to all the petitioners, which will be payable from the date of their retirement till the date that the actual payment was made, of the

principal amount. Delayed payment of gratuity would be governed by the rates of interest as provided in the Payment of Gratuity Act, 1972.

**April 08, 2015**  
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**(Amol Rattan Singh)**  
**Judge**