IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-20278-2014
Date of decision : 21.04.2015

Ashok Kumar Parinja ...Petitioner

V/S

State of Punjab and ors. ...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Narinder Pal Sharma, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab

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JITENDRA CHAUHAN, J. (Oral)

This writ petition has been filed under Articles 226/227 of the Constitution of India for the issuance of directions to the respondents to pay the interest @18% per annum on the delayed payment of retiral benefits.

It is contended that petitioner joined the Irrigation Department as Section Officer on 03.07.1976 and retired as Sub Divisional Officer on 31.03.2013. It is contended that the payments which become due on retirement were released after a delay of more than eight months. Petitioner served a representation dated 21.02.2014 (Annexure P-1) and a Legal Notice dated 28.04.2014 (Annexure P-2) upon the respondents for the interest on the delayed payment. Thereafter, in response to the said notice, respondent No.3 vide letter dated 30.07.2014 (Annexure P-3) had stated that there was no delay on their part.

Hence this writ petition.

Learned State counsel informs that the pension case of the petitioner was prepared and sent to the respondent No.4-Accountant General, Punjab on 17.01.2013 and vide letter dated 25.02.2013 respondent No.4 raised some objections. After removing these objections, on 09.05.2013 case of the petitioner was re-submitted to the respondent No.4. Thereafter, vide letter dated 21.06.2013, respondent No.4 again raised objections and after removing these objections, on 26.07.2013 the case of the petitioner was re-submitted to the respondent No.4. Vide order dated 05.09.2013, respondent No.4 granted the retiral benefits of the petitioner.

Heard.

Keeping in view the fact that there is delay in releasing the retiral benefits of the petitioner, he is entitled for the interest on the delayed payment.

In these circumstances, this writ petition is allowed with a direction to the respondents to pay the interest @ 9% per annum w.e.f the date of his retirement till the date of payments to the petitioner within four months after the receipt of certified copy of this order.

21.04.2015 **(JITENDRA CHAUHAN)**
ashok **JUDGE**