

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

CWP No. 22234 of 2015
Date of decision: 15.10.2015

Madan Lal

....Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

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

G.S.SANDHAWALIA, J. (Oral)

The petitioner challenges order dated 15.05.2015 (Annexure P-7) wherein, the claim of interest from 2010 i.e. the date of retirement has been rejected.

It is not in dispute that by virtue of order passed in CWP No. 3588 of 1991, the petitioner's dispute regarding his seniority was successful and this Court on 10.05.2011 issued directions that he be shown senior to respondent no. 3. The order was passed after the date of retirement i.e. 31.01.2010. The petitioner filed COCP No. 2595 of 2012 wherein, he alleged non-compliance of the order whereby, he had been granted the seniority and consequential benefits. This Court on 12.11.2013 (Annexure P-6) burdened the respondents with Rs.25,000/- as costs and directed that the dues be paid within one week and in case of default, with interest @ 7% from the date the amounts were to be paid i.e. February, 2013 i.e. the date on which they had taken decision. The relevant portion reads thus:-

“Let the respondents explain their stand. They are burdened with costs of 25,000/- which shall be recovered from the personal pay of the official

concerned. In case the dues are not cleared and paid to the petitioner within one week from today alongwith interest which is determined @ 7% from the date of passing of the order (February 2013 till the date of payment). The interest component upon calculation shall also be recovered from the official who has delayed such a process.

Adjourned to 01.04.2014.”

Thereafter, the petitioner again filed a representation claiming that he was entitled for the interest. This Court issued directions for the respondents to decide the issue in CWP No. 2859 of 2015 which has now been rejected by the impugned order dated 15.05.2015 (Annexure P-7). A perusal of the above order would go on to show that inter se the parties, the rate of interest and the date from which the amount was due had been quantified by this Court.

In such circumstances, the claim now made for the earlier period from 2010 is without any basis as the petitioner is as much bound by the order dated 12.11.2013 as all the respondents. It is not the case of the petitioner that interest has not been paid as directed by this Court.

Accordingly, there is no scope for interference and the present writ petition is dismissed in limine.

15.10.2015
shivani

(G.S. SANDHAWALIA)
JUDGE