

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.9690 of 2012

Date of Decision:- 27.08.2015.

Harbhajan Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: None for the petitioner.

Mr. Vaibhav Sharma, DAG, Punjab.

None for respondent No.2.

Mr. Vijay Kumar Kaushal, Advocate for
respondent No.3.

P.B. BAJANTHRI, J.

In this petition, the petitioner is seeking for interest on belated retiral benefit of ₹ 5,27,725/-. Even though petitioner was retired on 28.02.2011. The reason for withholding pensionary benefits is due to pendency of departmental inquiry. On 23.9.2011, departmental inquiry was concluded in imposing punishment of recovery of ₹23,914/-. Pursuant to the penalty order, petitioner deposited a sum of ₹ 23,914/- on 1.12.2011. Thereafter balance of

retiral benefits i.e. a sum of ₹ 3,67,429/- were released to the petitioner on 14.2.2012. In the meanwhile, other retiral benefits were settled timely. The respondents should have released a sum of ₹3,67,429/- as soon as departmental inquiry was concluded i.e. on 23.9.2011 onwards. However, the respondents waited for the petitioner to deposit recovery amount of ₹ 23,914/-. The said amount was paid on 1.12.2011. Thereafter, the respondents have not released balance of retiral benefits to the petitioner and it was paid only on 14.2.2012. In view of the delay in settling the petitioner's retiral benefits, he is entitled to interest on the amount of ₹ 3,67,429/- for the period from October, 2011 to 14.2.2012. Interest @ 9 % be calculated and paid to the petitioner within a period of eight weeks from the receipt of certified copy of this order.

Accordingly, the writ petition is disposed of.

(P.B. BAJANTHRI)
JUDGE

August 27, 2015.

sandeep sethi