

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

**Sr. No.207**

**CWP No.12272 of 2012**

**Date of decision:20.05.2016**

Santosh Bala and another

....Petitioners

versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present: Mr. Vineet Chaudhary, Advocate, for the petitioners.

Mr. Harish Rathee, Senior DAG, Haryana.

Mr. S.S. Momi, Advocate  
for respondents No.2 and 3.

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**DEEPAK SIBAL, J. (Oral)**

Through the present petition, the petitioners seek release of the salary of late Jagir Chand, husband of petitioner No.1 and father of petitioner No.2 for the period 10.11.2008 to 09.12.2008 as also seek sanctioning of earned leave by regularization of period of his service commencing from 10.11.2008 to 09.12.2008, alongwith interest.

I have heard learned counsel parties and also perused the record with their able assistance.

A perusal of the written statement filed on behalf of respondent No.2 shows that the earned leave of the petitioner No.1's deceased husband w.e.f. 10.11.2008 to 09.12.2008 has been sanctioned and the arrears of his salary for the period 10.11.2008 to 09.12.2008 amounting ₹18,052/- have already been paid to petitioner No.1 vide cheque dated 02.09.2013.

The arrears of salary of the deceased husband of the petitioner No.1 and father of petitioner No.2 have been released after a delay of nearly five years and the only explanation given for the same by the respondents is that the delay occurred due to departmental procedures, which excuse I am not inclined to accept and resultantly hold the petitioners to be entitled to interest @ 8% from the date the salary was due till the date of actual payment.

The needful be done within three months from the receipt of a certified copy of this order.

The writ petition stands disposed of in the above terms.

**(DEEPAK SIBAL)**  
**JUDGE**

**May 20, 2016**  
*Jyoti 1*