

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

**CWP No.1435 of 2013
Date of decision: 22.3.2016**

Dr. Surinder Mohan Singh Sidhu

... Petitioner

Versus

Punjab State & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Dharampal, Advocate,
for the petitioner.

Mr. Inqulab Nagpal, AAG, Punjab.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

1. Notice in this case has been issued on the limited issue of payment of interest on delayed payment of pension and pensionary benefits. The petitioner retired on April 30, 2009. He has suffered a cut in pension due to punishment inflicted by order. Challenge to which has been turned down by this Court in the present petition when notice was issued limited on the question of payment of interest.

2. Since pension and pensionary benefits are property of the petitioner and have been withheld without an order in writing containing reasons then there is no justification in keeping back the pensionary benefits for such a long time. As a result, the petitioner is held entitled to simple interest on the delayed payments @ 9% per annum from the date of retirement till payment so that the petitioner is compensated for loss of use of money. The amounts are directed to be calculated after serving a

calculation sheet on the petitioner and on his affirmation as to correctness the amount so calculated be paid to the petitioner within two months from the date of receipt of a certified copy of this order. This time fixed will include the time spent by the respondents to hear the petitioner on his calculations so that no doubt is left as to the amount to be paid. The entire exercise be carried out within the time frame fixed. Thus, the petition is partially allowed as above.

(RAJIV NARAIN RAINA)
JUDGE

22.3.2016
monika