

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

CWP No.1032 of 2016
Date of Decision: 01.12.2016

JARNAIL SINGH

... *Petitioner*

VS.

PUNJAB STATE POWER CORPORATION LTD. AND OTHERS

..*Respondents*

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. J.S. Jaidka and Mr. Naresh Kalia, Advocates,
 for the petitioner.

 Mr. Gursimranjit Singh, Advocate,
 for the respondents.

KULDIP SINGH, J (ORAL)

The petitioner has preferred the present writ petition under Article 226 of the Constitution of India for issuance of writ of Mandamus for a direction to the respondent corporation to release the interest @ 12% which has accrued in favour of the petitioner due to the delayed payment of DCRG.

The brief facts of the case are that the petitioner while working as a Revenue Accountant in the respondent-department was booked under Sections 7, 13 (2) of the Prevention of Corruption Act on 05.11.1997. He was ultimately convicted by the Special Judge, Ludhiana on 16.01.2003. This Court vide order dated 01.05.2003, stayed the conviction of the petitioner. In the meantime, the petitioner retired from service on 31.08.2008. His DCRG was withheld. Ultimately, vide judgement dated 21.08.2014, he was acquitted by this Court and his DCRG was released on 20.04.2015. Now, the petitioner claims interest on the delayed payments of DCRG.

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I have heard learned counsel for both the parties.

Admittedly, in this case after the conviction of the petitioner in the year 2003, his conviction was also stayed by this Court. At that time, no departmental proceedings were initiated against him. Therefore, DCRG of the petitioner could not be withheld, particularly, when the conviction of the petitioner is also stayed. Now, the petitioner has finally been acquitted and DCRG was also released on 20.04.2015. In view of the matter, the petitioner is entitled to interest on the delayed payment of DCRG.

It being so, the respondents are directed to release the payment of interest on the delayed payment of DCRG of the petitioner @ 9% per annum starting there months from the date of retirement till the actual payment. The respondents are directed to release the payment of interest within four months from the date of receipt of certified copy of this order.

In view of the above, the present writ petition stands allowed.

December 1, 2016
Suresh Kumar

(KULDIP SINGH)
JUDGE

	✓		
Whether speaking / reasoned	Yes	/	No
			✓
Whether Reportable	Yes	/	No