

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.17210 of 2014

Date of decision: 17.2.2016

Jagdish Singh and another

...Petitioners

Versus

Punjab State Power Corporation Ltd. and others

...Respondents

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

Present: Ms. Amandeep Kaur, Advocate for
Ms. Jyoti Sareen, Advocate for the petitioners.

Mr. R.L.Sharma, Advocate for the respondents.

G.S.SANDHAWALIA, J. (Oral)

The petitioners who are legal heirs of Harbans Singh deceased have sought retiral benefits.

Counsel for the petitioners submits that the payment of retiral benefits has been made but interest element is due.

It is not disputed that initially the said employee had been convicted under the provisions of Prevention of Corruption Act, 1988 on 7.5.1997. He died on 1.10.2002 during pendency of the appeal before this Court and thereafter his wife also expired in the year 2008. The conviction was set aside in Criminal Appeal No.418-SB of 1997 on 21.12.2009 (Annexure P/1). The demand for retiral benefits was made thereafter.

Resultantly, this Court is of the opinion that the petitioners will have to give necessary details as to when they first raised the demand after acquittal and whether there was a valid reason for the respondent-Corporation to hold back the amount or not. Thus, the facts will have to be pleaded specifically and proved accordingly.

Accordingly, the present writ petition is disposed of as having been rendered infructuous with liberty to the petitioners to agitate for their demand of interest in appropriate proceedings.

February 17, 2016
Pka

(G.S.SANDHAWALIA)
Judge