

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 2321 of 2014 (O/M)
Date of decision : 20.12.2016

Charanjit Singh

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sanjeev Pandit, Advocate, for the petitioner.

Mr. R.S. Pathania, Deputy A.G. Punjab.

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

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KULDIP SINGH J. (ORAL)

The learned counsel for respondents has produced the instructions dated 12.6.2012, issued by the Directorate of Local Government, Punjab, Chandigarh (Pension Branch) in the Court today, which is taken on record. As per the latest instructions, the rate of interest is as per the rate paid on the provident fund, which at present is 8.70% per annum. It is not disputed that interest at the rate of 6% per annum has already been released. Therefore, as per the Government instructions, the balance interest at the rate of 2.70% per annum is payable.

However, the learned counsel for the petitioner has argued that the petitioner retired from service on 31.1.2010 and the retiral benefits were released in the year 2014 and the same were paid even with delay. Therefore, he prays for interest at the rate of 18% per annum as held by this Court in R.S. Randhawa Versus State of Punjab and others, 1997 (3) RSJ

CWP No. 2321 of 2014 (O/M)

318 and also in Maha Singh Sinhmar Versus State of Haryana, (1994) 108
PLR 409.

After considering the said judgments, I am of the view that the interest of justice will be met, if the petitioner is allowed cost of the litigation in addition to the interest payable on the provident fund. Accordingly, respondent No. 4 is ordered to pay interest at the rate of 8.70% per annum. Since interest at the rate of 6% per annum has already been paid, the balance interest at the rate of 2.70% per annum shall be paid to the petitioner, within two months from the date of receipt of certified copy of this order, starting three months from the date of retirement of the petitioner. Since the petitioner was unnecessarily dragged to litigation, respondent No. 4 is burdened with costs, quantified at Rs. 25,000/-, to be payable to the petitioner.

The present writ petition is allowed.

(KULDIP SINGH)
JUDGE

20.12.2016
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No