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

CWP No.23442 of 2014
Date of decision: 05.05.2016

Mohinder Singh
...**Petitioner**

versus

UHBVNL and another
...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Narinder Singh Behgal, Advocate,
for the petitioner.

Mr. Pardeep Singh Poonia, Advocate,
for the respondents.

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RITU BAHRI , J.

The petitioner is seeking direction to the respondents to pay interest on the delayed payment of retiral benefits.

As per written statement filed by respondent No.1, the petitioner had been superannuated on 31.08.2010 as Lineman. He submitted his pension papers in September, 2010 and thereafter, the case was proceeded for payment of retiral dues. Lame excuses have been made that he had not qualified the Safety Code Test during his service tenure, exemption of which was granted on 20.01.2011 and thereafter, his case for release of pensionary benefits was processed.

The petitioner cannot be blamed for this lapse, as he has served the respondent-department for more than 30 years. Rather, the respondents has delayed in making payment of retiral dues of the petitioner. He has been given the pensionary benefits as under:-

Sr. No.	***Particulars***	***Amount paid***	***Date of payment***	***Delayed period***
1.	DCRG/Gratuity	Rs.4,15,185/-	19.05.2014	3 Years 9 Months
2.	Commutation of pension	Rs.3,53,113/-	19.05.2014	3 Years 9 Months
3.	Total Amount	Rs.7,68,298/-		

In the written statement, a further explanation has been given that in the pension papers submitted by the petitioner, various objections were raised by the higher authorities vide letter dated 04.11.2010.

As per rules, the respondents were required to proceed with the pension papers of the petitioner six months prior to his retirement. But, they did not so. The petitioner cannot be blamed for this lapse.

In view of the above, this petition is allowed and the respondents are directed to pay interest at the rate of 9% per annum on the delayed payment of retiral benefits of the petitioner within a period of three months. The interest shall be calculated w.e.f. 1.12.2010 i.e. after three months from the date of retirement of the petitioner.

(RITU BAHRI)
JUDGE

05.05.2016
ajp