

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

CWP No. 26423 of 2013

Date of Decision: 15.09.2016

BHAGWANT RAI

... Petitioner

VS.

PUNJAB STATE POWER CORP. LTD AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. V.K. Shukla, Advocate,
for the petitioner.

Ms. Geeta Sharma, Advocate,
for the respondents.

KULDIP SINGH, J. (Oral)

The brief facts of the case are that the petitioner who retired from the post of Upper Division Clerk on 29.02.2012 from the respondent department is having the grouse that the gratuity and commuted pension was released to him on 22.11.2012 and arrears of pension were released on 05.12.2012 i.e. after the delay of about 9-10, months for which he claims interest on the delayed payment.

The respondents on the other hand have not denied the delay but have attributed the delay to the departmental procedure whereby one or the other objections were raised.

I have heard learned counsel for both the parties and carefully gone through the file.

After hearing both the parties, I am of the view that for processing the case of the petitioner, the department is given prescribed time under the Rules to process the case. It is for the department to see that within the said time all the objections are met and needful is done. If the same is not done

CWP No. 1054 of 2014 (O&M)

within prescribed time, the retired employee should not to be made to suffer and is entitled to interest for the same.

Accordingly, the petition is allowed to the extent that the respondent shall pay interest @ 9 % per annum on the delayed payment on gratuity/commuted pension and arrears of pension w.e.f 01.06.2012 till actual payment is made.

The petition stands allowed accordingly.

September 15, 2016

Suresh Kumar

[KULDIP SINGH]
JUDGE

	✓	
<i>Whether speaking / reasoned</i>	<i>Yes</i>	<i>No</i>
		✓
<i>Whether Reportable</i>	<i>Yes</i>	<i>No</i>