

CWP No. 4208 of 2013

210

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 4208 of 2013

Date of Decision: 19.08.2016

SATNAM SINGH MAND

... *Petitioner*

VS.

STATE OF PUNJAB AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Parteek Pandit, Advocate,
for the petitioner.

Mr. Rajat Bansal, AAG, Punjab.

Mr. B.S. Sidhu, Advocate,
for the respondent No. 4.

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?*

KULDIP SINGH. J. (Oral)

Brief facts of the case are that Satnam Singh Mand-petitioner retired as Town Planner from the Ludhiana Improvement Trust, Ludhiana on 30.06.2006. It comes out that the petitioner was granted provisional pension of ₹ 4,765/- i.e. 75 % of the basic pension of ₹6,535/- admissible to the petitioner. Later on, some claim was made from him on 18.08.2008, subsequently, on 27.04.2011 he was charge sheeted.

Now, this court has been informed that the said charge sheet has been dropped vide order dated 24.09.2015 (*Annexure R-1*), apparently, on the ground that under 2.2 (b) of the Punjab Civil Services Rules Volume II , the charge sheet could not be issued for an act done four years prior to the retirement.

CWP No. 4208 of 2013

This Court has been informed that the retiral benefits have been paid, however, there is a delay in making the payment. When the petitioner retired from service on 30.06.2006, no disciplinary proceedings were pending against him. The charge sheet was issued on 24.07.2011 which is stated to have been dropped being issued four years after the date of retirement, as it was barred under the Rules. Consequently, there is no fault on the part of the petitioner and for the delayed payment, the petitioner is entitled to interest.

As such, the petition is allowed. The respondents No. 1 to 3 are directed to pay interest @ 9 % per annum on the delayed payment from the date it became due. The payment of interest be paid to the petitioner within three months from the receipt of the copy of this order.

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

August 19, 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>