

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-4681-2013 (O&M)
Date of decision: 28.07.2016

Prem Lata

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Gurinder Pal Singh, Advocate for the petitioner
Mr.Gagandeep Singh Wasu,
Additional Advocate General, Haryana
Mr.Lokesh Singhal, Advocate for respondent No.4

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Shri R.S.Yadav husband of the petitioner was appointed as Junior Engineer in the Irrigation Department, Government of Haryana on 2.1.1982. Thereafter, on 10.7.2000 his services were transferred to the Haryana State Pollution Control Board as Junior Engineer. Shri R.S.Yadav died in harness on 2.8.2004. On 3.1.2005 part payment of some retiral benefits were released but the entire retiral benefits were not released with the result that the present petition was filed in the year 2013 seeking release of all the retiral benefits.

It comes out that during pendency of the present petition, all the retiral benefits have been released. Now, the question surviving for consideration of this Court is regarding the payment of interest on delayed payment of pensionary benefits.

Learned counsel for respondent No.4 states that the petitioner did not come forward to fill in some papers. Therefore, payment of the pensionary benefits was delayed. Pension was released only in the year 2015. I am of the view that when the employee died in the year 2004, the pension should have been released promptly and the department should have taken steps to contact the petitioner and got her signatures on the necessary papers since the petitioner being a widow is unable to pursue her case before the department. Then there is no reason as to why the other benefits were not released promptly.

It being so, it is held that the petitioner is entitled to interest @ 9% per annum on the delayed payment of the retiral benefits, including the pension (except the payment on which the interest has already been paid). The interest shall be computed from three months after the death of Shri R.S.Yadav on 2.8.2004 till payment.

The petition is accordingly allowed.

28.07.2016
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:

Yes/ No

Whether Reportable:

Yes/No