

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

CWP No.5253 of 2013

Date of decision:19.2.2016

Dilbag Singh Sandhu

... Petitioner

Versus

State of Punjab & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Ranjit Sharma, Advocate,
for the petitioner.

Mr. Vaibhav Sharma, DAG, Punjab.

Mr. Sameer Sachdeva, Advocate,
for respondents No.3 & 4.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

1. Mr. Vaibhav Sharma, learned Deputy Advocate General, Punjab, states that the monetary value of the pay revision w.e.f. 1.1.2006 has been released to the respondent-College, which represents 95% grant-in-aid. The remaining 5% element becomes the liability of the college since the amount has been released by the Government in favour of 3rd and 4th respondents. Liability is not disputed.

2. Therefore, this petition is allowed and a direction is issued to the said respondents to pay the petitioner the balance amount of arrears of pay revision within one month from the date of receipt of a certified copy of this order, if the amount stands actually credited in the management's account, failing which outstanding dues shall be paid to the petitioner

within one month from the date of deposit in the management's grant-in-aid account.

2. The Director Public Instructions (Colleges), Punjab-respondent No.2 is directed to ensure compliance of these orders through the District Education Officer concerned who then would place a status report on the file of this case that amounts due have been disbursed to the petitioner in the disposed of matter for perusal of the Court which would be done within one month thereof. The petitioner would be entitled to interest @ 9% per annum from the Punjab Government from the date of retirement till the date of deposit of arrears of pay revision and thereafter, the management would be liable to pay interest at the same rate from one week after date of deposit of grant-in-aid till the amount is released in favour of the petitioner. The element of interest represents the inordinate delay in release of money due and payable which has been withheld long enough for no fault of the petitioner which the petitioner couldn't utilize even though it is his property.

(RAJIV NARAIN RAINA)
JUDGE

19.2.2016
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