

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 4359 of 2015
Date of Decision: 05.12.2016

ANIL KUMAR PASRICHA **... Petitioner**
VS.
STATE OF PUNJAB AND OTHERS **...Respondents**

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

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

Mr. R.S. Pathania, DAG, Punjab.

KULDIP SINGH, J. (Oral)

The petitioner has preferred this writ petition filed under Articles 226/227 of the Constitution of India for issuance of appropriate writ directing the respondents to pay the interest on account of delayed payments of retiral benefits of the petitioner.

Brief facts of this case are that the petitioner retired as Superintendent Grade-I from Civil Secretariat, Punjab on 31.10.2013. His grouse is that the retiral benefits were released with delay.

According to him, the sanction for the payment of DCRG was made on 18.12.2013, sanction of leave encashment was made on 07.11.2013, sanction of GIS was made on 19.12.2013 and sanction of GPF was made on 06.11.2013. However, the payments were released with delay as mention below: -

Sr. No.	Name of Benefit	Amount (₹)	Date of Credit in Bank	Delay (in days)
1.	DCRG	₹8,37,210/-	12.05.2014	192 days
2.	Leave Encashment	₹5,31,000/-	19.03.2014	138 days

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3.	GIS	₹44,146/-	22.03.2014	141 days
4.	GPF	₹7,76,499/-	01.03.2014	120 days
5.	Pension	₹1,77,000/-	02.04.2014	152 days

The delay is not denied on behalf of the respondents, however, the plea has been taken that it was the procedural delay.

I am of the view that, the petitioner is not to be blamed for the procedural delay and the fact remains that the payment were delayed beyond three months as prescribed in instructions dated 14.07.1995 (*Annexure P-1*). Therefore, the petitioner is entitled to interest on the delayed payment of retiral benefits.

Consequently, the respondents are directed to pay interest @ 9% per annum to the petitioner starting three months from the date of his retirement till its payment. The payment of interest be released to the petitioner within three months from the date of receipt of certified copy of this order.

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

December 5, 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>