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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 6775 of 2013 (O/M)
Date of decision : 10.11.2016

Kuljeet Kaur @ Kuljit Kaur

..... Petitioner (s)

Versus

State of Punjab and another

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Ms. Preeti Sharma, Advocate, for the petitioner.

Mr. R.S. Pathania, Deputy A.G. Punjab.

Mr. Rajinder Singh Sampla, Advocate, for respondent No. 2.

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 ?

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KULDIP SINGH J. (ORAL)

The petitioner, who retired as Artist/Layout Expert from Punjab School Education Board-respondent No. 2, has approached this Court, stating that she worked on adhoc basis from 6.1.1983 to 22.1.1993, after which her services were regularized. She retired from service on 31.10.2011. The prayer was for computing adhoc service while releasing the retiral benefits.

It comes out that during the pendency of the present writ petition, respondent No. 2 has counted the said adhoc service as qualifying service for release of the pensionary benefits and the same have accordingly been released in March, 2015.

Now, the short question surviving for consideration is interest on the delayed payment. The learned counsel for respondent No. 2 has

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argued that in the judgment passed by this Court in Surinderpal Singh Versus State of Punjab and others, (CWP-17921-2009, decided on 6.12.2010), no interest was granted.

I am of the view that in the said case, the matter was decided on 6.12.2010 i.e. before the retirement of the petitioner, in which adhoc service was ordered to be counted as qualifying service for the purpose of grant of pension and other retiral dues. In the present case, respondent No. 2 was aware about the said judgment and even thereafter it did not release the payment. It was released only after the petitioner approached this Court. As such, the petitioner is entitled to interest at the rate of 9% per annum i.e. starting three months from the date of retirement till the payment of arrears, which was released later on. The Punjab School Education Board (respondent No. 2) is directed to release the interest component within three months from the date of receipt of certified copy of this order.

The present writ petition is allowed.

(KULDIP SINGH)
JUDGE

10.11.2016
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No