

215

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 5994 of 2015 (O/M)
Date of decision : 27.10.2016

Naresh Kumar

..... Petitioner (s)

Versus

State of Haryana and others

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. D.S. Rawat, Advocate, for the petitioner.

Mr. Gaurav Goel, Assistant A.G. Haryana.

Mr. Manjeet Singh, 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 short dispute surviving for consideration is that though the retiral benefits have been released to the petitioner, but these were released with delay.

The learned counsel for respondent states that there was six months' delay in releasing the retiral benefits, whereas under the instructions, three months' are allowed to release the same, leaving three months' delay.

In these circumstances, whatever may be the reason for three months' delay in releasing the retiral benefits, the petitioner is entitled to interest on delayed payment at the rate of 9% per annum, starting three months' after the date of his retirement till payment.

CWP No. 5994 of 2015 (O/M)

It is further brought to the notice of the Court that the second ACP has also been granted late. Therefore, the petitioner claims interest for the same. The learned counsel for the respondent opposed the same and states that the petitioner himself was the dealing assistant and he did not submit the necessary papers to the higher authorities. Therefore, interest on delayed payment of arrears of ACP is not payable.

Thus, the present petition is partly allowed.

(KULDIP SINGH)
JUDGE

27.10.2016
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No