

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.6538 of 2016

Date of decision: 6.4.2016

Ved Parkash,JE (retired)

...Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Limited and others

...Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. K.L.Dhingra, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner's grouse is that a sum of ₹ 3,20,000/- which was due on account of DCRG was paid only on 8.10.2015 though he had retired on 30.9.2010.

It is case of the petitioner that amount was only released on account of filing COCP No.2156 of 2015-Ved Parkash Vs. Sh. Nitin Yadav, IAS and others which was disposed of on 4.2.2016 on account of the fact that the order of the writ Court has been complied with. The order reads as under:-

“Reply filed on behalf of respondents in Court today is taken on record.

It is not disputed that the orders of the Writ Court stands complied with, rendering the instant petition infructuous, which is disposed of accordingly leaving the petitioner to his remedies in law in the event of his dissatisfaction against any shortfall in the payment.”

Accordingly, counsel for the petitioner has submitted that he is entitled for the interest at the rate of 12% per annum in view of Full Bench judgment in **A.S. Randhawa Vs. State of Punjab 1998 (1) S.C.T. 343** (Annexure P/9). It is pointed out that demand dated 18.2.2016 (Annexure P/10) has been raised upon the respondents but no action is being taken.

Counsel for the petitioner further submits that he would be

satisfied if a direction is issued to the respondent no.1 to decide the representation dated 18.2.2016 (Annexure P/10) within some fixed time frame.

Keeping in view the limited relief sought by the petitioner, this Court is of the opinion that there is no requirement of calling for any reply on behalf of the respondents.

Accordingly, the present writ petition is disposed of with a direction to respondent no.1 or the competent authority to decide the representation dated 18.2.2016 (Annexure P/10) regarding the issue of interest on delayed payment and ensure that the payment is made within a period of two months from the date of receipt of a certified copy of this order. In case any adverse order is to be passed then a reasoned order be passed by the said respondent and be conveyed to the petitioner.

The present writ petition is disposed of with the aforesaid directions.

April 06, 2016
Pka

(G.S.SANDHAWALIA)
Judge