

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9310-2014 (O&M)
Date of decision: 30.11.2016

Dhyan Singh

.....Petitioner

versus

Chandigarh Housing Board

.....Respondent

CORAM: Hon'ble Mr. Justice Kuldeep Singh

Present: Mr.G.D.Gupta, Advocate for the petitioner
Ms.Deepali Puri, Advocate for the respondent

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldeep Singh, J. (Oral)

Petitioner retired as Sub Divisional Engineer (Public Health),
UT, Chandigarh from Chandigarh Housing Board on 31.8.2012.

It comes out that at the time of retirement, letter dated 31.8.2012 (Annexure P8) was issued by the Chief Vigilance Officer, Chandigarh Administration that no vigilance enquiry or complaint is pending/ contemplated by the Vigilance Cell, Chandigarh against the petitioner. Gratuity of the petitioner was withheld. However, it comes out that vide another letter dated 5.7.2013/ 26.7.2013 (Annexure R1), the Vigilance Cell, UT, Chandigarh informed that another complaint received has been dropped. Consequently, the respondent released the payment of 90% of gratuity on 4.9.2014 and remaining 10% on 5.1.2015. The question surviving for consideration is interest on the delayed payment. Since, Vigilance Inquiry was dropped on 5.7.2013/26.7.2013, therefore, the petitioner is entitled to interest @ 9% per annum from the said date till actual payment. The interest

part be released within two months from the date of receipt of a certified copy of this order.

Petition is accordingly allowed to the above noted extent.

30.11.2016

gk

**(Kuldip Singh)
Judge**

Whether speaking/ reasoned:

Yes

Whether Reportable:

No