

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

Civil Writ Petition No.7654 of 2016(O&M)  
Date of Decision: April 27, 2016

H.R.Bangar .....Petitioner  
versus  
Union of India and others .....Respondents

**CORAM:** HON'BLE MR.JUSTICE SURYA KANT.  
HON'BLE MR.JUSTICE A.B.CHAUDHARI.

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Present: Mr.V.K.Sharma, Advocate, for the petitioner.

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1. Whether Reporters of Local papers 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?

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Surya Kant, J. (Oral)

The petitioner assails the order dated 13.03.2015 passed by the Central Administrative Tribunal, Chandigarh Bench to the extent it has awarded interest @9% per annum on delayed payment of service/retiral benefits, instead of @18% per annum as demanded by the petitioner.

The petitioner joined the respondent-department as an Income Tax Inspector and in due course of time, he was promoted as Deputy Commissioner of Income Tax in the year 1998. He was charge-sheeted in the year 2001 and pending enquiry, he became due for promotion as Joint Commissioner of Income Tax. The DPC considered the claim of petitioner for promotion but kept its recommendations in a sealed cover pending disciplinary proceedings. The disciplinary proceedings were finally dropped in the year 2012. The petitioner though had retired from service but after dropping the departmental proceedings, he was granted the due promotion as Joint

Commissioner of Income Tax w.e.f. 20.10.2003 vide order dated 28.02.2013. The arrears of pay amounting to Rs.1,80,610/- were also paid. The other service benefits like Selection Grade have also been released. Still dissatisfied, the petitioner approached the Tribunal for the award of interest and his claim has been accepted in part, namely, interest @9% per annum has been awarded.

Having heard learned counsel for the petitioner and after going through the record, we are satisfied that the discretion exercised by the Tribunal warrants no interference by this Court. The rate of interest awarded to the petitioner is surely more than what is admissible in a Nationalized bank. Since the object of awarding interest is compensatory in nature, the rate of interest cannot be exorbitantly high to convert it as a punitive measure.

No case to interfere with the order passed by the Tribunal is made out.

Dismissed.

[SURYA KANT]  
JUDGE

*April 27, 2016*  
*mohinder*

[A.B.CHAUDHARI]  
JUDGE