

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 7935 of 2016 (O/M)
Date of decision : 22.9.2016

Dalwara Singh

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. B.S. Mittal, Advocate, for the petitioner.

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

Ms. Meena Bansal, Advocate, for respondent No. 3.

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)

Dalwara Singh (petitioner) took pre-mature retirement from service on 29.2.2016, while working as a Junior Assistant with respondent-Municipal Council. He has filed the present writ petition seeking mandamus for directing the respondents to release the provident fund, gratuity, leave encashment, arrears of dearness allowance and arrears of four months' salary.

The learned counsel for the petitioner has stated that during the proceedings, the entire payment has been released to petitioner. The learned counsel for the petitioner has filed the detail of payments made to the petitioner towards his retiral benefits in Court today, which is taken on record. The detail of payments is as under :-

- | | | |
|----|-----------|--------------|
| 1. | 7.5.2016 | Rs. 101964/- |
| 2. | 27.5.2016 | Rs. 192476/- |

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3.	27.5.2016	Rs. 101530/-
4.	10.8.2016	Rs. 1282850/-
5.	19.9.2016	Rs. 16223/-
Total		<u>Rs. 1695043/-</u>

It is further stated that it has not been specified as to which payment is on account of under which head. However, he is satisfied that the entire payment has been made.

Now, the short prayer is for interest on the delayed payments.

The petitioner took pre-mature retirement from service on 29.2.2016. Therefore, the payment is to be released within three months of retirement of the petitioner. The delay is only on account of last two payments made on 10.8.2016 and 19.9.2016 (i.e. Rs. 1282850/- and Rs. 16223/- respectively). Therefore, the petition is allowed to the extent that the respondent shall pay interest at the rate of 9% per annum from 29.5.2016 till payment on last two payments made on 10.8.2016 and 19.9.2016. The interest on the delayed payments be released to the petitioner within two months from the date of receipt of copy of this order.

The present writ petition is allowed.

(KULDIP SINGH)
JUDGE

22.9.2016
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No