

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.1169 of 2016 (O&M)

Date of Decision: August 23, 2016

Dr.Sat Pal Jindal

.....Appellant

versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

Present: Mr.Rajesh Garg, Senior Advocate with
Mr.Sundeep Kumar, Advocate, for the appellant.

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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?

Surya Kant, J.

This intra-court appeal seeks modification of the order dated 10.03.2016 whereby learned Single Judge though has held the appellant entitled to the grant of Selection Grade as per the UGC notification dated 24.12.1998 read with Punjab State Government notifications dated 10.02.1999, 12.03.1999 and 24.03.1999, but his prayer qua grant of interest on the arrears of Selection Grade has been declined. Learned Single Judge has viewed that since the matter remained pending in this Court after one of the connected cases was remanded by the Hon'ble Supreme Court and that there were contentious issues, hence the respondents cannot be burdened with costs.

Having heard Mr.Rajesh Garg, learned senior counsel, in support of the prayer made in this appeal, we are unable to agree with his

contention. We say so for the reason that award of interest, in the event of

delay in acceptance of claim, is essentially the discretion of the Court while granting the relief. Such a discretion has been exercised by the learned Single Judge against the appellant. Secondly, it is a fact that there were contentious issues and one of the case went up to the Hon'ble Supreme Court and was taken on remand for fresh adjudication. The appellant's writ petition was 'admitted' when the connected matter was under consideration before Hon'ble Supreme Court. As the action of the Court is expected to cause prejudice to none, the respondents cannot be saddled with interest liability only because this Court took considerable time in final adjudication of the case.

We thus do not find any ground to interfere with the order passed by learned Single Judge.

Dismissed.

**[SURYA KANT]
JUDGE**

August 23, 2016
mohinder

**[SUDIP AHLUWALIA]
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No

CM No.2424 of 2016 in
LPA No.1169 of 2016

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Dr.Sat Pal Jindal versus State of Punjab and others

Present : Mr.Rajesh Garg, Senior Advocate with
Mr.Sundeep Kumar, Advocate,
for the applicant-appellant.

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For the reasons mentioned in the application, the same is
allowed subject to all just exceptions and 18 days' delay in filing the appeal
is condoned.

CM stands disposed of.

(SURYA KANT)
JUDGE

August 23, 2016
mohinder

(SUDIP AHLUWALIA)
JUDGE