

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.1366 of 2016 (O&M)

Date of Decision: September 16, 2016

K.L.Mittal

.....Appellant

versus

State of Haryana and others

.....Respondents

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

Present: Mr.D.R.Bansal, Advocate, for the appellant.

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Surya Kant, J. (Oral)

This letters patent appeal seeks modification of the order dated 18.03.2016 whereby learned Single Judge has granted @ 9% per annum interest to the appellant on the delayed payments of retiral benefits.

According to the appellant, the interest ought to have been awarded at a higher rate and also with effect from the date of actual retirement, i.e., 31.05.2012 instead of three months thereafter, i.e., w.e.f. 01.09.2012.

We have heard learned counsel for the appellant at a considerable length.

In our considered view, award of interest @ 9% per annum is just and fair and it does not call for any further enhancement. It was not a case where the authorities deliberately sat over the matter. The appellant was facing disciplinary action for major penalty under Rule 7 of the Haryana Civil Services (Punishment and Appeal) Rules, 1987 which was

recovery of Rs.30427/-. Merely because the Disciplinary Authority took a lenient view does not mean that the appellant can bounce back and claim penal interest on delayed payments. Similarly, learned Single Judge has rightly held the appellant entitled to interest after three months from the date of retirement as this much period is taken as a reasonable period for the authorities to settle the retiral benefits/accounts.

No case to interfere with the order under appeal is made out.

Dismissed.

[SURYA KANT]
JUDGE

September 16, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

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