

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-1791-2016 (O&M)

Date of Decision: September 14, 2016

State Bank of India

.....Appellant

Versus

State of Punjab and others

.....Respondents

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

Present: Mr.Vikas Chatrath, Advocate
for the appellant.

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SURYA KANT, J.

Respondent No.7 was admittedly entitled to the arrears of revised family pension. Appellant, i.e. State Bank of India is the authorised Disbursing Authority. Payment of such arrears was concededly delayed, hence the learned Single Judge has held respondent No.7 entitled to interest. The appellant was a party in the writ petition filed by respondent No.7 but it chose not to appear and contest the claim. The plea taken by the State of Punjab that delay in the release of arrears is attributable to the appellant-Bank was thus accepted and liability to pay interest has been fastened on the appellant. In the subsequent review application filed by the appellant-Bank, learned Single Judge has granted liberty to it that it shall be free to take up the matter inter se with the State of Punjab with respect to liability of payment of interest. In other words, the appellant -Bank can show that there was no fault on its part. Learned Single Judge has permitted it to raise its claim against State of Punjab. In no manner respondent No.7 can be harassed

or dragged to multiple litigation. Further, keeping in view the liberty already granted by the learned Single Judge, we do not see any cause for the appellant-Bank to initiate these proceedings.

Let the due amount of interest be firstly paid to respondent No.7 and thereafter the appellant-Bank may take up its claim before the State of Punjab as permitted by the learned Single Judge.

Disposed of.

**(SURYA KANT)
JUDGE**

September 14, 2016
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**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

: Yes/No
: Yes/No