

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 8790 of 1999 (O&M)

Date of decision: 24.03.2017

Dr. Parkash Chand Mittal

... Petitioner

versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: None for the petitioners.

Mr. R.S. Pathania, Deputy Advocate General, Punjab.

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 ?

KULDIP SINGH, J. (ORAL)

Present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to pay interest @ 18% per annum on the pensionary benefits.

There is no representation on behalf of the petitioner. Therefore, the case of the petitioner is considered.

Petitioner was working as Medical Officer Incharge in Mini Primary Health Centre, Sekha District Sangrur. He applied for pre-mature retirement from service vide application dated 01.08.1996 by giving notice of four months prior instead of three months. The voluntary retirement was sought w.e.f. 30.11.1996. Retiral benefits

were released with delay, therefore, he claims interest on the delayed payments.

Reply filed by respondent Nos. 1 to 3 shows that request of the petitioner for pre-mature retirement was only acceded to on 08.10.1997 and it was only thereafter the retiral benefits could be released to the petitioner. Petitioner applied for pensionary benefits on 25.11.1997 and pension was sanctioned on 21.05.1998 and commutation of pension was sanctioned on 01.06.1998. Thereafter, arrears of pension and commutation was paid on 09.07.1998 without any delay. Petitioner applied for leave encashment on 11.11.1997 and same was sanctioned on 24.03.1998 and released timely on 22.04.1998. On account of some delay noted above, amount of Rs. 19, 822/- towards amount of interest was also sanctioned and according to reply it has been released. It being so, for this short delay, State has already sanctioned the interest.

The present writ petition is disposed of with the direction to release interest of Rs. 19, 822/-, if not already paid within one months from the date of receipt of certified copy of the order.

(KULDIP SINGH)
JUDGE

24.03.2017

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Whether speaking/non-speaking	:	Yes
Whether reportable	:	No