

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.255

**Civil Writ Petition No.14748 of 2016
DECIDED ON: September 20, 2017**

G.L. ARYA

..PETITIONER

VERSUS

PUNJAB NATIONAL BANK AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Praveen Gupta, Advocate, for the petitioner.

Mr. Gaurav Verma, Advocate for
Mr. Akash Soni, Advocate,
for the respondents.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of certiorari for quashing the impugned letter dated May 27, 2016 (P-10), impugned letter dated April 27, 2016 (P-8) and all other previous stereo-typed communications (Annexures P-3, P-5 & P-6) passed by the respondents denying benefit of five years add on period for qualifying service for the purpose of pension for the said orders are wholly arbitrary, illegal and discriminatory and contrary to the Regulation 29(5) read with Regulation 29(1) and Regulation 18 of Punjab National Bank (Employees) Pension Regulation, 1995 as well as further directing the respondents to grant benefit of five years of add on service as qualifying service for the purpose of pension and retiral benefits to the petitioner as he has completed 19 years 8 month and 29 days of service which is to be treated as 20 years in view of Regulation 18 providing for any period more

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than six months to be treated as one year and therefore 20 years of service in this manner under Regulation 29(5) of the aforesaid Regulations entails for five years increase in service for the purpose of calculation of qualifying service of an employee retiring voluntarily in view of judgment cited as State Bank of Patiala vs. Pritam Singh Bedi 2014(3) SCT 685 (SC).

2. At the very outset of the arguments, it has been submitted by learned counsel for the petitioner that all the benefits claimed by the petitioner through the instant petition have been received but only the question with regard to interest on delayed payment(s) survives. This fact has also not been disputed by learned counsel for the respondents.

3. In view of aforesaid undisputed facts, instant petition has rendered infructuous as far as quashing of order dated May 27, 2016 (P-10) and letter dated April 27, 2016 and grant of benefits claimed through the instant petition except the claim of interest on delayed payment(s). As far as grant of interest is concerned, respondents are directed to pay the same @ 9% per annum w.e.f. November 27, 2009 till its actual payment i.e. on August 31, 2016 within a period of two months from the date of receipt of a certified copy of this order.

4. In view of the aforesaid terms, instant petition stands disposed of.

5. On failure to make the aforesaid payment, petitioner shall be at liberty to approach this Court.

September 20, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**