

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 20113 of 2015 (O/M)
Date of decision : 23.3.2017

Karnail Singh and another Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sunny Singla, Advocate, for the petitioners.

Ms. Vandana Malhotra, Additional Advocate General, Punjab.

Mr. Rishav Jain, Advocate, for,
Mr. Jaspreet Singh, Advocate,
for respondent No. 5-Nagar Council, Lehragaga,
District Sangrur.

Mr. Shekhar Kumar, Advocate, for Nagar Council, Breta,
District Mansa.

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 ?

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KULDIP SINGH J. (ORAL)

Petitioner No. 1 retired from service of respondent No. 5-Nagar Council, Lehragaga, District Sangrur, on 31.3.2015 and petitioner No. 2 retired from service of respondent No. 5-Nagar Council, Lehragaga, District Sangrur, on 31.1.2015. The petitioners have filed the present writ petition for directions to respondents to release the pensionary benefits i.e. gratuity, leave encashment etc.

The short reply on behalf of Nagar Council, Lehragaga, District Sangrur-respondent No. 5, filed in Court today and the same is taken on record, which shows that a sum of Rs. 5,00,000/- was paid to petitioner No. 1 (Karnail Singh) by a cheque bearing No. 259153, dated 31.3.2015 i.e.

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on the date of his retirement and another sum of Rs. 10,06,090/- was paid by a cheque bearing No. 259571 dated 29.2.2016 i.e. after the delay of about 11 months. Similarly, in the case of petitioner No. 2 (Jagjit Singh), a sum of Rs. 5,00,000/- was paid by a cheque bearing No. 259075 dated 30.1.2015, on the date of his retirement and the balance of Rs. 10,04,600/- was paid by a cheque bearing No. 259570 dated 29.2.2016 i.e. after the delay of about 1 year and 1 month. Therefore, the prayer is now for payment of interest on the delayed payment.

Heard.

I am the view that for the delayed part of the payment released beyond three months of the retirement of the petitioners, the petitioners shall be entitled to interest at the rate of 9% per annum till the date of actual payment. Respondent No. 5-Nagar Council, Lehragaga, District Sangrur, is directed to release the payment of interest within two months from the date of receipt of certified copy of this order. The present writ petition is allowed.

(KULDIP SINGH)
JUDGE

23.3.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No