

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

CWP No. 22191 of 2015
Date of Decision: 17.01.2017

AVTAR SINGH

... *Petitioner*

VS.

STATE OF PUNJAB AND OTHERS

..*Respondents*

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. Surinder Gaur, Advocate,
 for the petitioner.

Mr. Nikhil Chopra, D.A.G., Punjab

KULDIP SINGH, J (ORAL)

The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India for issuance of writ of mandamus for directing the respondents to release the retiral benefits such as gratuity, leave encashment, GPF alongwith interest.

It comes out that the petitioner retired as Fireman from the Municipal Council, Kotkapura on 28.02.2014 and the present writ has been filed in the year 2015.

Learned counsel for the petitioner stated that now all the pensionary benefits have been released to the petitioner. However, the only claim due in this writ petition is for payment of interest on the delayed payment of his pensionary benefits.

After hearing both the parties, I am of the view all the retirement benefits are required to be paid within three months from the date of retirement of the employee. Therefore, if the same are paid beyond three months of retirement, the department is liable to pay interest @ 9% per annum on the said benefits.

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It being so, the respondents are directed to release the payment of interest on the delayed payment of pensionary benefits of the petitioner @ 9% per annum starting there months from the date of retirement till the actual payment within three months from the date of receipt of certified copy of this order.

In view of the above, the present petition is disposed of.

January 17, 2017
Suresh Kumar

(KULDIP SINGH)
JUDGE

<i>Whether speaking / reasoned</i>	:	✓ Yes / No
<i>Whether Reportable</i>	:	Yes / ✓ No