

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-3932-2015 (O&M)

Date of decision: 17.03.2017

Inderjit Jolly

.....Petitioner

versus

The Managing Director, Punjab State Civil Supplies Corporation
Limited and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Inderjit Sharma, Advocate for the petitioner
Mr.Anil Sharma, Advocate for the respondent No.1

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Petitioner has sought the writ of certiorari for quashing the impugned order dated 26.2.2014 (Annexure P12), vide which, his request for grant of interest on the delayed payment of retiral benefits was declined.

Suffice to say that the petitioner retired on 31.10.2007 as Field Officer from Punjab State Civil Supplies Corporation Limited.

Reply of the respondents shows that at the time of retirement of the petitioner, one charge sheet dated 29.8.2007, was pending which was decided on 4.12.2009 and he was censured. After his retirement a show cause notice dated 28.12.2007 was issued which was filed on 28.2.2011.

I am of the view that once the show cause notice is issued, it is supposed to be decided within a reasonable time, which could be maximum six months. However, the inquiry against the petitioner was disposed of on 4.12.2009. As per reply of the respondents, leave encashment and gratuity

were paid to the petitioner as under:-

Rs.1,07,921 on 24.8.2010

Rs.3,61,924/- on 22.6.2011

Rs.1,02,745.20 on 13.8.2013

After the departmental inquiry, retiral benefits are supposed to be released within a reasonable time. Three months time is considered reasonable time in these circumstances. Therefore, starting 4.3.2010, the petitioner is entitled to interest @ 9% per annum on the delayed payment of the above noted retiral benefits. The impugned order dated 26.2.2014 (Annexure P12) to the above noted extent stands quashed. The interest shall be released within three months from the date of receipt of a certified copy of this order.

In view of above, the writ petition stands allowed.

17.03.2017

gk

**(Kuldip Singh)
Judge**

Whether speaking/ reasoned:

Yes

Whether Reportable:

No