

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

CWP No.4437 of 2015

Date of Decision: 09.012017

KRISHNA DEVI

... Petitioner

VS.

STATE OF PUNJAB AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. B.S. Mittal, Advocate,
for the petitioner.

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

Ms. Meena Bansal, Advocate,
for respondent No. 3.

KULDIP SINGH, J. (Oral)

The petitioner has preferred the present writ petition under Article 226 of the Constitution of India praying for issuance of a writ in the nature of Mandamus directing the respondents to release the Death-cum-Retirement Gratuity, Provident Fund and other service benefits due to the petitioner on account of death of her husband Dalip Singh alongwith interest.

The brief facts of this case are that Dalip Singh, the husband of the petitioner was working as Sweeper in Municipal Council, Maur. He died in harness on 19.06.2009. His son was given appointment on compassionate grounds as Sweeper in December 2009. The present petition has been filed in the year 2015.

The respondents have filed the response and given the details of the payments vide Annexure R-3/1. The payment was made in installments and only one payment was made on 23.06.2009 and remaining payment was paid

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between the years 2010 and 2015. The perusal of the said details shows that the payments have been made but were made with delay, therefore, the respondents are liable to pay interest on the delayed payments due to the petitioner on account of death of the husband of the petitioner.

In view of the matter, the present writ petition is disposed of with a direction to the respondents to pay the interest @ 9 % per annum on the delayed payment due to the petitioner on account of death of her husband, starting three months from the date of death of the Dalip Singh till the actual payment is made. It is further order that the said payment of interest be released within three months from the date of receipt of certified copy of this order.

January 9, 2017

Suresh Kumar

**[KULDIP SINGH]
JUDGE**

Whether speaking / reasoned :

✓
Yes / No

Whether Reportable :

✓
Yes / No