

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 619 of 2016 (O&M)
Date of Decision: 30.03.2017

RAMESHWAR DASS **... Petitioner**
VS.

STATE OF PUNJAB AND OTHERS **...Respondents**

CORAM: **HON'BLE MR. JUSTICE KULDIP SINGH.**

Present: Mr. Yogesh Kumar Aneja, Advocate,
for the petitioner.
Ms. Vandana Malhotra, Addl. A.G., Punjab.
Mr. Vishwajit Bedi, Advocate,
for the respondent No. 4.

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 remaining service benefits of the petitioner such as Ex-gratia grant, Gratuity, Leave encashment, GPF and GIS etc. alongwith interest.

It comes out that the petitioner retired on 31.10.2015, from the service of Municipal Council, Fazilka-respondent No. 4 and the present writ petition has been filed in the year 2016.

Learned counsel for the respondent No. 4 has filed the reply in the Court today and the same is taken on record. It comes out from the said reply that the payment has been released to the petitioner as under: -

Amount Due

<i>Sr. No.</i>	<i>Particulars</i>	<i>Amount Due</i>
1.	<i>Gratuity</i>	6,35,047/-
2.	<i>Leave Encashment</i>	3,33,560/-
3.	<i>P.F.</i>	1,80,784/-
	<i>Total amount due</i>	<i>11,49,391/-</i>

AMOUNT PAID

<i>DATE</i>	<i>AMOUNT</i>	<i>CHEQUE NO.</i>
30.10.2015	2,50,000/-	Admitted in writ petition
24.12.2015	1,00,000/-	-Do-
14.03.2016	50,000/-	586798
30.05.2016	2,22,857/-	503066
30.05.2016	3,46,550/-	503067
17.06.2016	1,80,784/-	503097
<u>Total</u>	<u>11,49,391/-</u>	

After hearing learned counsel for the parties and carefully going through the file, I am of the view that all the retiral 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.

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 three months from the date of retirement i.e. 31.10.2015 till the actual payment within two months from the date of receipt of certified copy of this order.

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

March 30, 2017

Suresh Kumar

(KULDIP SINGH)
JUDGE

✓

Whether speaking / reasoned :

Yes

/

No

✓

Whether Reportable :

Yes

/

No