

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

Sr. No.247

Civil Writ Petition No.8494 of 2016
DECIDED ON: September 20, 2017

SHEKAR CHANDER

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Saurabh Garg, Advocate,
for the petitioner.

Ms. Jasleen Kaur Sidhu, Assistant Advocate General, Punjab.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Article 226 of the Constitution of India, petitioner has sought the issuance of an appropriate writ, order or direction especially in the nature of Mandamus directing the respondents to forthwith release the full pension, gratuity and other unpaid retiral dues of the petitioner along with interest @ 18% per annum.

2. At the very outset of the arguments, it has been submitted by learned counsel for the petitioner that all the retiral benefits have been released/disbursed to the petitioner during the pendency of instant petition after a considerable delay but no interest on delayed payments has been paid by the respondents.

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3. Undoubtedly, payments have not been made immediately after the retirement and there is a considerable delay. It can be said that there was no fault on the part of the petitioner for submission of documents etc. rather the matter remained with the respondents. There is no plausible explanation furnished by the respondents for inordinate delay in releasing/disbursing the retiral benefits to the petitioner, who stood retired on October 31, 2015 on attaining the age of superannuation.

4. In the foregoing facts and circumstances, instant petition has rendered infructuous as far as grant of retiral benefits is concerned. However, respondents are directed to pay interest @ 9% per annum after an expiry of three months from the date of retirement till the actual payment of different dues has been made. The amount shall be calculated by the respondents and paid to the petitioner within a period of two months from the date of receipt of a certified copy of this order.

5. On failure of aforesaid amount, petitioner shall be at liberty to approach this Court.

September 20, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**