

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 6990 of 2017 (O/M)
Date of decision : 3.4.2017

Dr. Inderjit Singh Hundal

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. C.L. Premy, Advocate, for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

The petitioner retired from service of respondent-department on 31.5.2010 on attaining the age of superannuation. He was not paid the retiral benefits. In the earlier round of litigation, vide order dated 7.5.2015 (Annexure-P-1), passed by this Court in CWP No. 8889 of 2015, titled as Inderjit Singh Hundal Versus State of Punjab and others, respondents were directed to decide the legal notice regarding the claim of the petitioner for interest on the delayed payments by passing a speaking order. Vide impugned order dated 1.6.2016 (Annexure-P-5), the interest at the rate of 8% on the delayed payments has been ordered to be paid, except the interest on commuted value of pension. It is stated in the impugned order that the commuted value of pension was paid on 1.10.2013, which is an advance payment of a part of the pension. The commuted value of pension is required to be recovered within 15 years alongwith interest. Therefore, it is apparent that the recovery will start after the commuted value of pension is

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paid. Had it been that the interest is being charged by the State from the date of retirement of the petitioner, then certainly there could be a case for payment at some rate of interest to the petitioner. However, since the recovery started after the payment of the commuted value of pension, therefore, there is no ground for payment of interest on the commuted value of pension to the petitioner.

In view of the matter, the present writ petition is dismissed.

(KULDIP SINGH)
JUDGE

3.4.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No