

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

207

RSA No.2240 of 2016 (O&M)  
Date of Decision : 06.09.2017

Shadi Lal (Retd.) Block Education Officer ..... Appellant

Versus

State of Haryana and others ..... Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI**

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Present : Mr. Tara Chand Dhanwal, Advocate  
for the appellant.

Dr. Sushil Gautam, D.A.G., Haryana.

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**AJAY TEWARI, J. (Oral)**

This appeal has been filed against the concurrent dismissal of the suit of the appellant where he had claimed interest on delayed payment of retiral dues.

The exact figures were that there was delay of 3 months and 15 days in the disbursement of leave encashment, GIS amount and delay of 10 months in the release of Provisional Pension and non-payment of DCRG amount, Commutation amount and arrears on account of pay revision. What was not disclosed in the suit was that infact an order had been passed imposing a recovery of Rs. 15,70,000/- on the appellant from his retiral dues including DCRG, commutation of pension and leave encashment. Apparently the appellant-petitioner filed two Civil Writ petitions bearing CWP Nos.1023 of 2010 and 11939 of 2013. It is not known whether he had

mentioned about the pendency of the suit in those writ petitions at any stage but it is not disputed that he had not mentioned about the pendency of those writ petitions in the suit at any stage. Those writ petitions were decided by this Court by judgment and order dated 02.02.2017 wherein this Court set aside the order of imposing recovery to be made from retiral benefits i.e. gratuity, commutation of pension and leave encashment and further directed the respondents to release the said amount/s with interest @ 9% per annum.

In the circumstances, the substantial relief claimed by the appellant in present suit was in fact granted to him by those decisions and the only thing which remains is the short delay in releasing GIS and provisional pension.

No ground is made out to interfere in the orders passed by the Courts below.

Appeal is dismissed. No costs.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

( AJAY TEWARI )  
JUDGE

06.09.2017  
*pooja sharma-I*

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No