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RSA-1858-2015 (O&M)
Date of Decision: 7.12.2017

JAGDISH RAI AGGARWAL
VS
STATE OF PUNJAB AND OTHERS

....APPELLANT
....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Rajan Bansal , Advocate
for the appellant.

Mr. H.S.Sitta, AAG, Punjab.

AJAY TEWARI, J.(Oral)

This appeal has been filed against the judgment of the lower Appellate Court since the issue involved is very small, I suppose to decide it in motion hearing. The appellant had claimed interest on delayed payment of superannuation benefits. The Trial Court had awarded interest @ 12% with the further submission that in case the payment is not made within two months the interest would be increased to 18%. The respondent filed an appeal whereby the Appellate Court reduced the interest to 9%.

In my considered opinion, both the Courts below took the extreme view. Keeping in view the judgments passed in the matter of Shashi Bawa vs. State of Punjab and others 2016(2) SCT 424, A.J.Randhawa, Supdg. Engineer(Retd.) vs. State of Punjab 1997(3) PLR 6, and Smt. Karmi Devi vs. State of Punjab and others 2016 (4) S.C.T 302, I reduced the interest to 12%.

The appeal stands disposed of.

Since the main case has been decided, the pending C.M, if any, also stand disposed of.

7.12.2017
anuradha

(AJAY TEWARI)
JUDGE_

Whether speaking/reasoned - Yes/No
Whether reportable - Yes/No