

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

RSA No. 3832 of 2016 (O&M)
Date of decision : December 07, 2017

Pritam Singh,

..... Appellant

v.

State of Punjab and others,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Gurdip Singh, Advocate
for the appellant.

Mr. Aditya Sharda, AAG Punjab

Ajay Tewari, J (Oral)

This appeal has been filed against the concurrent judgments of the Courts below declining the prayer of the appellant that he should be granted interest on his retiral benefits.

The main ground which weighed with the Courts below was the fact that though the appellant was to retire on 30.4.2008, he moved his pension papers only one month in advance (instead of six months in advance) on 21.3.2008, and consequently held him dis-entitled to any interest.

Counsel for the appellant has argued that even as per the logic of the government a period of six months is required to process the retiral dues and, therefore, the Courts below erred in not granting him any interest for the time that the retiral dues were delayed by six months after

submission of the papers.

Learned AAG Punjab has stated that a period of six months is required for processing the papers and thereafter also some time has to be given to process those papers and it is not mandatory that on the date of retirement every amount should be paid to the retiree.

Keeping in view the aforesaid facts, I deem it appropriate to allow this appeal partly and to direct that the appellant would be entitled to interest @ 8% pa only on the delayed payment/s w.e.f 1.1.2009. Ordered accordingly. It is made clear that if the due payment/s are not made within three months from the receipt of a certified copy of this order, the appellant would be entitled to further interest @ 8% pa on the interest amount also.

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

December 07, 2017
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No