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**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 3037 of 2014**

H. L. Pandey S/o Late G. R. Pandey, aged about 66 years, retired Section Officer, Pt. Ravishankar Shukla Vishwavidyalaya, Raipur Distt. Raipur C.G, R/o C/254, Rohinipuram, Raipur P.S. Kota, Tahsil, Civil and Revenue Distt. Raipur, C.G.

**---- Petitioner****Versus**

1. The Pt. Ravishankar Shukla University through its Registrar/Kul Sachiv, Pt. Ravishankar Shukla University, Raipur, Civil and Revenue Distt. Raipur, C.G
2. The State of Chhattisgarh through the Secretary, Department of Higher Education, Raipur, Civil and Revenue Distt. Raipur, C.G.
3. The Commissioner, Higher Education Department, Raipur, Civil and Revenue Distt. Raipur, C.G.

**---- Respondents**


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|-----------------------|---|--------------------------------------|
| For Petitioner        | : | Shri Malay Kumar Bhaduri, Advocate   |
| For Respondent No.1   | : | Shri Neeraj Choubey, Advocate        |
| For Respondents 2 & 3 | : | Shri Shashank Thakur, Govt. Advocate |

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****27.06.2018**

The petitioner in the instant case retired from service as a Section Officer from respondent no.1 University on 30.11.2009. Though he retired in 2009, his retiral dues have not been paid by the respondents which forces the petitioner to file the present writ petition.

2. The respondents, pending the petition, have now filed their reply wherein they have stated that they have released all the retiral dues

payable to the petitioner.

3. The said payment of retiral dues is not disputed by the counsel for the petitioner. However, counsel for the petitioner submits that there is a deliberate delay of more than 5 years in making payment to the petitioner so far as the retiral dues are concerned, therefore, the petitioner would be entitled for interest on the retiral dues which had been withheld/delayed by the respondents without any reason whatsoever. He relied upon the decision of the Supreme Court in the case of **D. D. Tewari (D) Thr. Lrs. v. Uttar Haryana Bijli Vitran Nigam Ltd. and others** reported in **2014 AIR SCW 4511**. Counsel for the petitioner confines his relief to the extent of only for a direction to the respondents to pay interest on the delayed payment of retiral dues to him

4. Counsel for the respondents submit that from the return as also from the instruction that has been received, there does not appear to be any strong reason for not releasing the retiral dues promptly.

5. In a catena of judgments of the Supreme Court like the case of D. D. Tewari (supra) and also of this Court in the case of **Shyam Dev. State of Chhattisgarh and others** reported in **ILR 2017 Chhattisgarh 1779** it has been time and again reiterated by the Courts that any delayed payment of retiral dues to an employee without any fault on the part of the employee or without there being any justified reason on the part of the Govt. for the delay caused, the concerned employee would be entitled for interest on the said delayed payment.

6. Accordingly, the present writ petition, in view of the judgments referred above, deserves to be and is allowed. The respondents are directed to pay interest on the delayed payment of retiral dues paid to the

petitioner @ 9% per annum from the date of retirement till the actual payment was made.

**Sd/-  
P. Sam Koshy  
Judge**

Bhola