

In the High Court of Punjab and Haryana at Chandigarh

CWP No.17198 of 1996

Date of decision: November 26, 2018

Charan Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Deepak Agnihotri, Advocate for the petitioner.
Mr. Ayush Sarna, Assistant Advocate General, Punjab.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present case, the petitioner has made a claim for the interest on the delayed payments. The petitioner retired from service on 31.08.1993 while working as a Conductor in the Punjab Roadways. In the present petition, the petitioner has alleged that the pension which was due to the petitioner on 01.09.1993, was paid in January, 1997 after a delay of 03 years and 04 months. Similarly, the gratuity, which was also due on the same date was paid on 21.05.1997 after a delay of 03 years and 08 months. Leave encashment was delayed by 01 year and 07 months and further the suspension allowance for which the petitioner was entitled for was paid after 04 years and 05 months. Keeping in view the above, the

petitioner has claimed interest @ 18% per annum on delayed payments. Petitioner is claiming a sum of ₹58,314/- on account of interest.

When the case came up for hearing on 30.05.2018, the State counsel pointed out that the amount payable to the petitioner i.e. the interest has already been released to him and that too since long and the petitioner has already made an endorsement in respect of the receipt of the same. The petitioner was asked to appear in person and explain the position.

Today, the petitioner is present in person and states that the calculation which has been given by him in Annexure P-13 is not correct and he has not been paid the said amount. The said amount of ₹58,314/- will also carry interest till the same will be paid and seeks intervention of this Court for the grant of the same.

Counsel for the respondents is unable to point out as to how the amount of ₹7496/- was calculated by them as an interest on the delayed payments and no bifurcation has been shown to this Court.

Counsel for the petitioner states that the petitioner be given liberty to file a detailed representation with the respondents seeking the difference of the amount by giving the details and the respondents be directed to decide the representation in a time bound manner as the petitioner is 84 years of age as of now.

period of four weeks from today giving the details of the amount he is entitled for, the respondents shall pass a speaking order in respect of each claim giving details as to how much amount has been paid, when and whether, with interest or without interest. The representation shall be decided within a period of two months.

In case, after the decision it is found that the petitioner is entitled to any monetary benefits, the same shall also be released to the petitioner within a period of next one month.

The writ petition stands disposed of accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

November 26, 2018

jt

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No