

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-1521-2014 (O&M)
Date of Decision:-12.03.2018.

Mohinder Kumar Sharma

.....Petitioner

Versus

The Secretary, Department of Law and Justice and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Sanjeev Manrai, Senior Advocate for
Mr. Madhur Goyal, Advocate for the petitioner.

Mr. Sanjeev Sharma, Advocate for respondent No.2.

P.B. BAJANTHRI, J. (Oral)

CM-3191-CWP-2018

Affidavit of respondent No.2 in consonance with the order dated 10.01.2018 is taken on record.

CM stands allowed subject to all just exceptions for the reasons stated in the application as well as affidavit.

CWP-1521-2014 (O&M)

Short question for consideration in the present petition is whether the petitioner is entitled to interest on belated settlement of retiral benefits or not?

Petitioner is stated to have retired on 31.05.2007. While he was

in service, he was subjected to disciplinary proceedings which were

concluded in exoneration in 2 matters on 16.04.2011 and 16.11.2011. In this background, official respondents have settled petitioner's claim of retiral benefits on 09.02.2012. The petitioner is entitled to interest on belated settlement of retiral benefits in view of his exoneration on 16.4.2011 and 19.4.2011. Even though official respondents have proceeded to settle petitioner's retiral benefits as and when he has been exonerated and it was settled on 09.02.2012, having regard to the exoneration in the disciplinary proceedings petitioner is entitled to interest on belated settlement of retiral benefits w.e.f. 01.09.2007 while taking 3 months from the date of retirement for process of the papers. Therefore, the official respondents are hereby directed to calculate interest on belated settlement of retiral benefits @ 9% per annum during the period from 01.09.2007 to 09.02.2012 and disburse the same within a period of 3 months from today.

Petition stands allowed.

(P.B. BAJANTHRI)
JUDGE

March 12, 2018.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.