

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

Sr. No.227

Civil Writ Petition No.15136 of 2016
DECIDED ON: March 20, 2018

SARBJIT SINGH

..PETITIONER

VERSUS

**PUNJAB STATE POWER CORPORATION LIMITED AND
OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. J.S. Jaidka, Advocate,
for the petitioner.

Mrs. Jarnail Kaur Dhaliwal, Advocate,
for the respondents.

JASPAL SINGH, J. (ORAL)

Through the instant petition preferred under Articles 226 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of mandamus directing the respondents to release his full regular pension after deducting the 5% cut in pursuance of the order dated 29.03.2016 (P-5) and also releasing his commutation of pension and gratuity along with interest on the delayed payment.

2. Concededly, petitioner stood retired on 31.01.2014 as Revenue Accountant on attaining the age of superannuation. While in service, a show cause notice dated 06.03.2014 and a charge sheet dated 30.06.2014 were issued to him. Show cause notice was withdrawn/dropped vide order

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dated 12.08.2015 (P-4), whereas in another inquiry based upon the chargesheet dated 30.06.2014, it stood culminated vide order dated 29.03.2016 (P-5), whereby 5% cut has been imposed on the pension of the petitioner. Though, subsequent thereto, all the retiral benefits to which petitioner is entitled, have since been released, but after an inordinate delay, for which no interest has been granted. The departmental proceeding, if any, stood concluded on 29.03.2016. After the conclusion of the aforesaid inquiry, respondents were required to release the retiral benefits within some reasonable period and maximum within a period of three months. But it has not been done so far. Some of the payments have been made, even after a period of three months from the date of conclusion of the departmental proceedings, for which petitioner deserves to be compensated by way of grant of interest.

3. Accordingly, instant petition is disposed of with the direction to the respondents to calculate interest @ 9% per annum after the expiry of three months from the date of conclusion of the inquiry proceedings and make the payment thereof within a period of two months from the date of receipt of a certified copy of this order. In the event of the non compliance of the aforesaid direction/order, petitioner shall be at liberty to approach this Court.

March 20, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**