

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 10.10.2018****CWP No.16107 of 2015**

Suraj Mal

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINAPresent: Mr. R.D.Bawa and Mr. Samuel Gill, Advocates,
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

The claim in the instant petition is limited to prayer for grant of interest on principal sums paid to the petitioner under the ACP scheme.

On the previous date i.e. 08.10.2018, the following order was passed:

“The only question involved is with regard to payment of interest.

Mr. Rathee's objection is that petitioner was granted ACP at par with that of his junior Kamal Kumar in relaxation of Rule 12 of the HCS (ACP) Rules, 2008. He further submits that where a concession is given the question of interest would not arise because interest must be claimed as a matter of right on the principle that money was legally due and was illegally withheld without any justification.

List on 10.10.2018.”

Today, having heard learned counsel for the petitioner as well as for the State, I do not find that any ground for award of interest is made

out when the benefit was quantified and principal amount paid by way of a concession by relaxing Rule 12 of the Haryana Civil Services (ACP) Rules, 2008. When rule is relaxed to bring entitlement to money, interest should not follow automatically as a matter of right. It cannot be said that money was legally due but was illegally withheld without justification.

Consequently, the petition stands dismissed.

10.10.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>