

IN THE HIGH COURT OF PUNJAB AND HARYANA
HIGH COURT

CWP No. 17107 of 2015
DECIDED ON: FEBRUARY 16, 2018

DES RAJ VERMA & ORS

.....PETITIONERS

VS

PUNJABI UNIVERSITY AND OTHERS

.....RESPONDENTS

2. CWP No. 24280 of 2015

HARNEK SINGH & OTHERS

.....PETITIONERS

VERSUS

PUNJABI UNIVERSITY AND OTHERS

.....RESPONDENTS

3. CWP No. 4720 of 2016

NARAYAN DASS & OTHERS

.....PETITIONERS

VERSUS

PUNJABI UNIVERSITY AND OTHERS

.....RESPONDENTS

4.

CWP No. 9207 of 2016

BAGHAIL SINGH SOHI & OTHERS

.....PETITIONERS

VERSUS

PUNJABI UNIVERSITY AND OTHERS

.....RESPONDENTS

5.

CWP No. 4038 of 2017 (O&M)

KAMAL PARKASH & OTHERS

.....PETITIONERS

VERSUS

PUNJABI UNIVERSITY AND OTHERS

.....RESPONDENTS

AND

6.

CWP No. 12021 of 2017 (O&M)

HARDIP KAUR WALIA & OTHERS

.....PETITIONERS

VERSUS

PUNJABI UNIVERSITY AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

**Present: Mr. Vikas Singh, Advocate
for the petitioner(s).**

**Mr. Ajaivir Singh, Advocate
for the respondent-University.**

JASPAL SINGH, J (ORAL)

This order will disposed of all the above-said writ petitions, as common question of law and fact are involved in them, which can conveniently be decided by a common order.

2. At the very outset, it has submitted by learned counsel for the petitioners that the amount of gratuity, leave encashment and other benefits have already been released to the petitioners. Now the question which is left to be decided by this Court only with regard to the interest on the delayed payments of retiral benefits. It is a settled proposition of law that all the retiral benefits were supposed to be disbursed/released to an employee on the date of his/her retirement or maximum within a period of three months from the date of his retirement. But in the instant case the retiral benefits accrued to the petitioners was released/dispursed after a considerable and inordinate delay for which no plausible explanation is forthcoming. The petitioners are deprived of the use of amount accrued to them on account of their retirement at the relevant time, which resulted into some pecuniary loss or damage, which is to be compensated by way of interest only.

3. During the course of arguments while relying upon the judgment of this Court passed in CWP No. 11837 of 2013 titled as Dr. Manjit Singh & others vs. State of Punjab and others, decided on 17.03.2016, learned counsel for the respondent-University has submitted that in the case in hand no interest was granted on account of financial constraint but this Court does not believe

that financial constraint is suffice to deprive any employee who has served the department for a considerable period.

5. Keeping in view the catena of cases particularly “*A.S. Randhawa v. State of Punjab*”, 1997 (3) RSJ 318, this Court is of the considered view that petitioners are entitled to the interest @9% on the delayed payments after the expiry of three months from the date of their retirement till actual payment of the retiral dues. Respondents are directed to calculate the interest as ordered above and make the payment thereof, within two months from the date of receipt of certified copy of this order.

6. In case the petitioners are still aggrieved by any of the order passed by the authority, they shall be at liberty to approach this Court.

FEBRUARY 16, 2018
sham

(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>