IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-12075-2018
Date of decision: - 22.11.2018

Rajinder Kaur

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- None for the petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

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HARSIMRAN SINGH SETHI, J. (ORAL)

Reply along with documents (Annexures R-1 to R-4) filed today in the Court is taken on record, subject to all just exceptions.

Present writ petition has been filed by the petitioner claiming the interest on the delayed payment.

Petitioner has contended in the present writ petition that she retired on attaining the age of superannuation on 31.12.2013 and she was entitled for the pensionary benefits, which the respondents did not release within time.

In paragraph 5 of the petition, the details of the payments for which the petitioner is being entitled for as well as the date on which the same were released have been given. The details on which the payments

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were made, has not been disputed by the respondents in the written statement. No justifiable reasons has been given by the respondents to delay the payment for which the petitioner was entitled for after her retirement.

It is a settled preposition of law that once the retiral benefits are not paid in time, the employee is entitled to interest for the same. This Court in **J.S. Cheema Vs. State of Haryana 2014(13) RCR (Civil) 355** has held that the employee is entitled for interest on the delayed payment after the retirement.

In the present case, the payments have been made after considerable delay without any valid justification.

In view of above, the present writ petition is allowed and the respondents are directed to compute the interest on the delayed payment from the date it become due till the date the payments were made @ 9% interest per annum. Further, the calculation of amount be done within a period of two months from the date of receipt of certified copy of this order and the payment be made to the petitioner within a period of next one month.

(HARSIMRAN SINGH SETHI)
JUDGE

November 22, 2018
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Whether reasoned/speaking? Yes
Whether reportable? No

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