

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

**CWP No.21639 of 2013
DECIDED ON: SEPTEMBER 05, 2018**

SUBHASH SONI

..PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. H.C. Arora,, Advocate,
for the petitioner.

Mr.Navdeep Chhabra, Deputy Advocate General, Punjab.

None for respondent No.3.

JASPAL SINGH, J.

By virtue of instant writ petition preferred under Article 226 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus, directing respondents No.4 and 5 to release the amount of gratuity, leave encashment and pension contribution of the petitioner due, on the basis of latest demand chart submitted to them by Municipal Council, Mandi Gobindgarh with interest @ 12%.

2. During the course of arguments, it has emerged that all the retiral benefits have been released to the petitioner during the pendency of instant petition. However, interest on the delayed payment has not been paid. In fact, no departmental inquiry or judicial proceeding was pending either at the time of retirement of the petitioner or subsequent thereto, yet, there is a considerable delay in making the payment of the aforesaid benefits, which

cannot be attributed to the petitioner. Rather, the delay appears to have occurred on account of omission on the part of the respondents. The only relief now, which the petitioner claims is with regard to interest on delayed payment.

3. Instant petition is disposed of with the direction to respondents to calculate and make the interest @ 9% per annum on the delayed payments, after expiry of three months from the date of retirement till the actual payments, within a period of two months from the date of receipt of a certified copy of this order. In case of non-compliance of aforesaid direction, the petitioner shall be at liberty to have recourse to the other remedies available to him as well as to approach this Court.

SEPTEMBER 05, 2018
sonika

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No