

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

Sr. No.206

Civil Writ Petition No.24274 of 2014
DECIDED ON: September 28, 2018

RENU BALA

..PETITIONER

VERSUS

**PUNJABI UNIVERSITY, PATIALA THROUGH ITS VICE-
CHANCELLOR AND OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Surinder Garg, Advocate,
for the petitioner.

Mr. Vishal Khatri, Advocate,
for respondents No.1 to 3.

Ms. Anju Arora, Addl. A.G., Punjab.

JASPAL SINGH, J. (ORAL)

By virtue of instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus, directing the respondents to release the service benefits of her husband namely Sh. Parshotam Dass Aggarwal on the basis of his last pay drawn i.e. 55,440/- and not only on the basis of Rs.29,580/-, which has been released to the petitioner along with interest @ 18% p.a.

2. At the very outset of the arguments, it has been submitted by learned counsel for respondent No.1 to 3 that benefits which have been sought by the petitioner through the instant petition have since been disbursed to her accrued on account of sudden demise of her husband.

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However, petitioner is not entitled to the interest on the delayed payment(s) thereof as the fault if any lies with the office of Deputy Controller Local Audit (for short 'DCLA') , who had raised certain objections at the time of auditing the accounts of Punjabi University, but an explanation furnished by the respondents carries no substance particularly in view of the fact that if there is some omission or lapse on the part of the respondents in not getting the Accounts Audited within a reasonable period or that DCLA has raised certain objections, the petitioner cannot be made to suffer and deprived of the benefit(s). The petitioner has already been granted the benefits, to which, she is/was entitled. However, as for the lapse on the part of the respondents, petitioner cannot be made to suffer and cannot be deprived of the interest. Thus, she deserves to be compensated by way of grant of interest for the delayed payment(s).

3. In the light of what has been discussed above, as far as main relief is concerned that instant petition has rendered infructuous. However, so far as the grant of interest is concerned, instant petition is disposed of with a direction to the respondents to make the payment of interest @ 9% p.a. from the date of filing of instant petition till actual payment, within a period of two months from the date of receipt of a certified copy of this order. In case of non-compliance of this order, petitioner shall be at liberty to have recourse to the other remedies available under law as well as to approach this Court.

September 28, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**