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

**CWP No. 2434 of 2016**
**Date of Decision : 27.11.2018**

**Indu Bala** **...Petitioner**

**Versus**

**Punjab National Bank and others** **...Respondents**

***CORAM:*** ***HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI***

Present: Mr. N.K. Verma, Advocate for
Mr. Anoop Verma, Advocate for the petitioner.

Mr. Saurav Verma, Advocate for the respondents.

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***Harsimran Singh Sethi, J.(Oral)***

The present writ petition has been filed by the petitioner for release of the pensionary benefits including pension, gratuity and leave encashment alongwith interest @ 18% per annum.

The facts as enumerated in the petition are that the husband of the petitioner was appointed as a Clerk in Punjab National Bank and thereafter he got promotion. Unfortunately, on 29.08.2009 husband of the petitioner had died in a road accident after which the petitioner made a claim for the benefits for which she was entitled for in respect of the services rendered by her late husband.

Notice of motion was issued upon which respondents have put in appearance.

Even though no reply has been filed by the respondents but learned counsel for the respondents states that the retiral benefits for which the petitioner was entitled for on account of the services rendered by her late husband, have already been released to her as for back as 04.09.2017. An

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order in this regard was brought to the notice of the counsel for the petitioner as well.

Learned counsel for the petitioner states that he does not have any instructions about the payment but argued that the petitioner has not been given interest at the delayed payment.

Admittedly, the petitioner became entitled for the relief in August, 2009 and the same has been released after a period of eight years. No justification has been given for withholding the amount for which the petitioner was found entitled by the respondents themselves. As settled by the Full Bench of this Court in the cases of ***A.S. Randhawa Vs. State of Punjab,*** 1997 (3) SCT 468 and ***J.S. Cheema Vs. State of Haryana and others,*** 2014(13) RCR (Civil) 355, the employe is entitled for interest on delayed payments, which were withheld, without any valid justification. The present case is one such case where the respondents themselves have found that the petitioner was entitled for the amount which have been paid to her only in the year 2017. No justification has been given by the respondents for delayed payments.

Keeping in view the above, the respondents are directed to calculate the interest on the payments which have been made to the petitioner from the date it became due till the same was released @ 6% per annum.

The writ petition stands disposed of accordingly.

**November 27, 2018** **(HARSIMRAN SINGH SETHI)**
*kanchan* **JUDGE**

*Whether speaking/reasoned? Yes/No*
*Whether reportable? Yes/No*

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