

In the High Court of Punjab and Haryana at Chandigarh

CWP No.24810 of 2017

Date of decision: November 22, 2018

Dr. Kanchan Manju

..... Petitioner

Versus

State of Punjab and others

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. RVS Chugh, Advocate for the petitioner.
Mr. Sandeep Vermani, Additional Advocate General,
Punjab.

HARSIMRAN SINGH SETHI, J. (ORAL)

The present writ petition has been filed by the petitioner claiming the interest on the delayed payments. The facts as mentioned in the writ petition are that the petitioner retired on attaining the age of superannuation on 31.03.2016 and became entitled for release of pensionary benefits immediately. As per the facts mentioned in the writ petition, even though the petitioner was entitled to be paid everything by 31.03.2016 when the petitioner retired or within a reasonable time, it has been alleged that commuted pension was paid to the petitioner on 26.05.2016 after a delay of 55 days. However, the gratuity amounting to ₹10 lacs was paid on 05.07.2016 after a delay of more than three months. Further

GPF and the earned leaves were also paid after much delay on 03.11.2016 and 17.01.2017 (respectively).

The release of the delayed payments has not been denied by the respondents. The only reason given is the procedural time which the department takes to release the pensionary benefits. Be that as it may, once the respondents have retained the amount which the petitioner was entitled for, the petitioner will be entitled for interest as per law laid down by the Full Bench of this Court in case of **A.S. Randhawa Vs. State of Punjab**, 1997(3) SCT 468 as well as **J.S. Cheema Vs. State of Haryana**, 2014(1) SCT 782.

In view of the above, the writ petition is allowed.

The respondents are directed to compute the interest on the delayed payments from the date it became due till the same were released to the petitioner @9% per annum. Let the same be done within a period of three months from the date of receipt of a certified copy of this order and actual payment be released within a period of next one month.

(HARSIMRAN SINGH SETHI)
JUDGE

November 22, 2018

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Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No