

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 16.01.2018****CWP No.7489 of 2016**

Om Kanwar

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Ashok Kumar Khubbar, Advocate, for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

1. The petitioner superannuated from service on 31.05.2016. However, his service book was not completed. He has approached this Court for release of his pension and other dues after the service is updated.
2. Written statement has been filed in Court today, which is taken on record. In Para.5 of the written statement, it has been stated that the service book has been completed and the petitioner has been extended all monetary dues amounting to ₹1,21,309/- and his service book has been dispatched to SDO (Civil), Dadri vide letter dated 09.11.2017.
3. Since the relief as prayed for has been granted to the petitioner, the instant petition has been rendered infructuous. However, in case actual monetary benefits have not passed down to the petitioner for any reason, the same will be paid within one month from the date of receipt of the certified copy of this order.

4. At this stage, learned counsel for the petitioner submits that there has been a delay of about 1½ years in disbursing his client's dues and, therefore, interest should be awarded on delayed payment.

5. The Department is bound to complete the service book of an employee before he retires. An employee was not to be asked for completion of service book, as it has none of his duties, as he is not even permitted to touch it except by requesting in writing. Having considered the delay in disbursing the amount, I feel that interest would be served if the amount carries interest at the rate of 7.5% p.a. after the expiry of three months from the date of superannuation. The amount be calculated and paid to the petitioner within the above time frame.

6. In addition to interest, the petitioner is held entitled to costs of litigation to the tune of ₹10,000/- to be paid in addition to other dues since the petitioner was forced to approach this Court for a direction to the State to complete his service book which became an impediment to payment of retiral dues.

7. With the above directions, the petition stands disposed of.

16.01.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes
No