

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

Sr. No.297

Civil Writ Petition No.8732 of 2015
DECIDED ON: May 14, 2018

K.L. SINGLA

..PETITIONER

VERSUS

**NATIONAL INSTITUTE OF TECHNICAL TEACHERS' TRAINING
AND RESEARCH, SECTOR 26, CHANDIGARH AND ANOTHER**

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Gagandeep Pradeep Singh Bal, Advocate,
for the petitioner.

Mr. I.S. Sidhu, Advocate,
for respondent No.1.

Mr. Karan Singh, Advocate,
for respondent No.2.

JASPAL SINGH, J.

By virtue of the instant civil writ petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ, order or direction especially in the nature of mandamus directing the respondents to pay him interest @ 18% per annum on all the delayed payments of retirement and other benefits.

2. The contention of learned counsel for the petitioner is that petitioner stood retired as on December 31, 2011 after attaining the age of

60 years. But the pensionary benefits i.e. Pension, Commutation of pension, Gratuity, Leave Encashment and Group Insurance Scheme etc. were paid after an inordinate delay, that too, without there being no fault on the part of the petitioner. The non grant of the interest by respondent No.1 on account of delayed payment(s) of the retiral benefits, is violative of the ***Instructions No.1/15/90IFPIII/4226 dated 10.05.1990*** issued by the Government of Punjab as well as law laid down by Full Bench of this Court in case ***A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468*** particularly when there is no plausible explanation for delay in disbursement or benefits. Moreover, neither any departmental or judicial proceedings were pending against the petitioner on the date of his retirement. Thus, the petitioner deserves to be compensated by way of grant of interest.

3. As an upshot of the aforesaid facts, instant petition is disposed of with a direction to respondents particularly respondent No.1 to calculate and grant the interest @ 9% per annum on the delayed payment(s) of retiral benefits, after expiry of three months from the date of retirement of the petitioner till the actual payment(s) of each retiral benefit, 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 approach this Court.

May 14, 2018

Ankur

(JASPAL SINGH)
JUDGEWhether speaking/reasoned
Whether reportableYes
Yes/No