

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-3487-2017

Date of decision: - 21.11.2018

Rambati

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. B.S. Mittal, Advocate, for the petitioner.

Ms. Anju Arora, Additional Advocate General, Punjab
for respondents No.1 and 2.

None for respondent No.3.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present case, the petitioner is claiming interest on the delayed payment of the service benefits on account of the service rendered by her husband.

It has been averred in the writ petition that husband of the petitioner was working as a Sweeper in the Municipal Council, Maur, District Bathinda i.e. respondent No.3. After the death of her husband in the year 2011, the petitioner was not paid death-cum-retiral benefits immediately and the same was paid on installments on various dates. The last amount was paid to the petitioner on 26.12.2016.

Notice of motion was issued to respondent No.3 only.

Despite service, no one has appeared on behalf of respondent No.3.

It has not been disputed that the amount for which the petitioner was entitled for, after the death of her husband, has been paid in installments and that too after inordinate delay. No justifiable reason has been placed on record to show as to why the petitioner will not be entitled for the interest on the delayed payments. There is no one to defend the action on behalf of respondent No.3.

As per law laid down by this Court in A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468 and J.S. Cheema Vs. State of Haryana reported as 2014(1) SCT 782 the employee is entitled for the interest on the delayed payment.

In view of the above, the present writ petition is disposed of with a direction to respondent No.3 to calculate the amount which has been paid to the petitioner in installments at the interest of 9% per annum from the date the amount became due and the date on which the payments were made. Let the calculation be done within a period of three months and the amount so arrive at, be released to the petitioner within a period of one month thereafter.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

November 21, 2018
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Whether reasoned/speaking?	Yes
Whether reportable?	No