

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 4900 of 2017

Date of Decision : 29.11.2018

Parshotam Dass Sharma

...Petitioner

Versus

State Bank of India and others

...Respondents

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

Present: Mr. Praveen Gupta, Advocate for the petitioner.

Mr. Vikas Chatrath, Advocate for the respondents.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, prayer has been made for the release of interest on the delayed payment.

As per the details mentioned in the writ petition, the petitioner was removed from service on 30.04.2014 and the said order of removal was not to come in the way for the grant of pensionary benefits. The details of the pensionary benefits for which the petitioner was entitled for, have been given in para 8 of the writ petition. Counsel for the petitioner contends that even though the payment should have been made either immediately on the date of removal or within a reasonable time, yet the leave encashment was paid to the petitioner on 17.06.2015 amounting to ₹5,83,328/-, the payment of gratuity amounting to ₹10 lacs was paid on 13.07.2015 and payment of provident fund amounting to ₹15,15,733/- was paid on 22.07.2015, therefore, as the payments were made after a period of more than one year,

petitioner should be paid interest on account of delayed payment.

Notice of motion was issued.

Mr. Vikas Chatrath, learned counsel appearing for the respondent-Bank files an affidavit stating that a sum of ₹1,14,575/- on account of the interest on the delayed payment have already been released to the petitioner on 05.04.2018.

At this, learned counsel for the petitioner states that he does not have these instructions and seeks time.

Once the payments have already been released by the bank, nothing survive in the present writ petition. In the interest of justice, in case the petitioner has any grievance or claim left to be addressed, he is given liberty to file a representation to the respondent within a period of four weeks from today. The respondent-bank is directed that in case any such representation is filed by the petitioner, the same will be decided within a period of next two months thereafter by passing a speaking order.

The writ petition stands disposed of in the above terms.

November 29, 2018
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(HARSIMRAN SINGH SETHI)
JUDGE

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