

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

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RSA-4407-2014 (O&M)
Date of decision:12.03.2018

Om Parkash

...Appellant

Versus

The Government of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. H.K.Brinda, Advocate for the appellant.

Mr.M.C.Berry, Addl. A.G. Punjab.

P.B. BAJANTHRI, J. (ORAL)

Short question for consideration in the present appeal is whether is there any delay in settlement of retiral benefits of the appellant or not?

2. Undisputed facts are that appellant had attained age of superannuation and retired from service on 31.05.2009 while holding the post of Divisional Head Draftsman in the BBMB while he was on deputation from the State of Punjab. His retiral benefits were settled in the month of February, 2010. It was bounden duty of the employer to prepare pension papers in advance before retirement of an employee. Thus, there is delay on the part of the State of Punjab in not settling appellant's retiral benefits within reasonable period of 3 months from the date of his retirement i.e. on or before 31.08.2009. Therefore, appellant is entitled to interest from 01.09.2009 till February, 2010 the date on which his retiral benefits have been settled @ 9% per annum. Above issue has not been

apprised by both the courts below. Accordingly, appeal stands allowed in part. Official respondents are hereby directed to pay interest @ 9% on all retiral benefits during the period from 01.09.2009 to February, 2010. Interest shall be calculated and disbursed within a period of 4 months from today.

12.03.2018

pooja saini

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No