

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

RSA-742-2018 (O&M)

Date of decision: 23.05.2018

Pepsu Road Transport Corporation and another

..... Appellants

Versus

Harbans Singh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Nitin Kaushal, Advocate for the appellants.

RAMENDRA JAIN, J. (ORAL)

Relying upon judgment dated 04.09.2017 of a co-ordinate Bench of this Court in CWP-15306-2016 and other connected matters, learned counsel for the appellant-Corporation contends that in similarly situated circumstances, 9% interest per annum has been granted to the retired employees akin to respondent No. 1-plaintiff, on the delayed payment after expiry of three months period from the date of their retirement till its actual payment, therefore, the impugned judgment dated 10.09.2015 of the trial Court, affirmed by the Ist Appellate Court vide judgment dated 11.11.2016, may kindly be modified to this extent.

Having given considerable thought to the submissions made by learned counsel for the appellant-Corporation and considering the above referred judgment of a co-ordinate Bench of this Court, the judgment of the trial Court dated 10.09.2015 and that of the Ist Appellate Court dated 11.11.2016, are modified to the extent that the appellant-Corporation shall pay up-to-date interest to respondent No. 1-plaintiff @ 9% per annum on

the delayed payment, after expiry of three months period from the date of his retirement till date of actual payment of retiral benefits to him, within a period of three months from today.

The instant Regular Second Appeal is disposed of accordingly, without issuing notice to respondent No. 1-plaintiff, to save him from the legal fee which he ought to have paid in case of issuance of notice to him. Still, if dissatisfied, the respondent-plaintiff may move this Court for recalling this order within a period of one month from the date of knowledge of this order.

May 23, 2018
rishu

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No