

COCN No.1391 of 2018

Date of Decision: 13.3.2019

Maya

.....Petitioner

Versus

Jagsir Singh Dhariwal and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Peeush Gagneja, Advocate, for the petitioner.

Mr. Aditya Sharma, Advocate, for respondent No.1.

Mr. Vijay Kumar Kaushal, Advocate, for respondent No.2.

NIRMALJIT KAUR, J. (ORAL)

Short reply by way of affidavit of Jagsir Singh Dhariwal, Executive Officer, Municipal Council, Malout dated nil has been filed stating therein that they have paid the amount as well as the interest to the petitioner.

Respondent No.2 has also filed reply stating therein that they have also paid the remaining amount to the petitioner, therefore, the order has been complied with. However, respondent No.2 has not paid interest on the delayed amount on the ground that they have no direction.

Admittedly, the petitioner has worked with respondent No.2 and some payment is required to be released by respondent No.2 as well. In case, there is delay in release of the pensionary benefits, they are required to pay interest. Thus, respondent No.2 cannot take advantage of the fact that no direction was given to them to pay interest. Accordingly, respondent No.2 shall consider the grant of interest in terms of the judgment in R.S.Randhawa vs. State of Punjab and others, 1997 (3) SCT 468 within a period of one month from today. In case, the petitioner is found entitled to the same, the amount of interest shall be paid or otherwise speaking order

shall be passed within the stipulated period.

In view of the above, the present contempt petition is dismissed.

Rule issued against the respondents stands discharged.

13.3.2019
sharmila

(NIRMALJIT KAUR)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No