

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 2159 of 2019
Date of decision: 17.9.2019

Narinder Walia

.. Petitioner

v.

N. S. Kalsi and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. G. L. Bajaj, Advocate for the petitioner.
Ms. Deepali Puri, Addl. Advocate General, Punjab.

...

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed pleading wilful disobedience of the order dated 15.12.2017 passed by this Court in CWP No. 11759 of 2015. The operative part of the said order is reproduced below:

“6. It is a settled principle that grant of interest on the delayed payment is on account of the fact that retiree was unable to enjoy its fruits immediately on his retirement and then a right accrues to him to be compensated and the only way to compensate him is to pay interest for the period of delayed payments. Therefore, the State is liable to pay interest on the delayed payment.

7. Accordingly, instant petition is partly allowed. The State is directed to pay interest @ 9% per annum on the delayed payment of gratuity starting six months after the issuance of the charge sheet i.e. 1.9.2010 till the date of

actual payment.”

Pursuant to notice of motion, short reply dated 26.8.2019 by way of affidavit of Sareen Kumar, P.P.S., Commandant, 2nd India Reserve Battalion, Ladha Kothi, Sangrur annexing receipt of payment of ₹1,75,660/-was filed.

Learned counsel for the petitioner states that though interest has been paid but there is an error in calculation of the interest amount. He seeks liberty to avail remedies available in accordance with law for redressal of the grievance.

In view of the fact that interest has been paid and the order of this Court has been complied with, the contempt petition is disposed of as infructuous with liberty as prayed for.

(AVNEESH JHINGAN)
JUDGE

17.9.2019
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No