

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

201

CWP No.13274 of 2016

Decided on : 07.11.2019

Chanderkanta

... Petitioner

Versus

Chandigarh Administration and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Shailendra Sharma, Advocate for the petitioner.

Ms. Madhu Dayal, Advocate
for respondent No.1-U.T.

Mr. Ashish Rawal, Advocate
for respondents No.2 and 3.

G.S. Sandhawalia, J. (Oral)

The petitioner in the present writ petition filed under Articles 226/227 of the Constitution of India seeks directions to the respondents to release the pension and other retiral benefits accrued on account of death of the husband of the petitioner.

Mr. Rawal, has pointed out that the arrears of pension w.e.f. 03.09.2013 to 30.04.2018 to the tune of ₹9,84,633/- + DCRF @ ₹5,80,450/- totaling ₹15,65,083/- have been paid in the month of May, 2019.

Counsel for the petitioner does not dispute the said fact. It is, however, pointed out that the petitioner's husband had died on 02.09.2013 and, therefore, the relief for the retiral benefits had been sought by filing the present writ petition. It is submitted that in such circumstances the interest is also liable to be paid as has been claimed in the writ petition also.

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Keeping in view the judgment of the Full Bench passed in **A.S. Randhawa, Supdt. Engineer (Retd.) Vs. State of Punjab 1998 (1) SCT 343**, the respondents have become liable to pay interest from 02.11.2013 till the date of payment. Resultantly, the interest element be calculated @ 8% per annum and be paid to the petitioner within a period of 2 months from today. In case the amount is not paid within the abovesaid prescribed period, the rate of interest shall go up to 10% per annum.

The writ petition is, accordingly, disposed off.

NOVEMBER 07, 2019
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No