

Sr. No. 237

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

**CWP No.774 of 2016 (O&M)
Date of Decision: 09.04.2019**

Om Parkash Rai

... Petitioner

Versus

Punjab State Power Corporation Limited and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.V.K.Shukla, Advocate,
for the petitioner.

Mr. Piyush Khanna, Advocate,
for the respondents.

ARUN MONGA, J.(ORAL)

Claim of the petitioner for grant of interest deserves to be allowed in view of the conceded position in the reply of respondent-PSPCL (Annexure P-4) given in response to the legal notice dated 23.03.2015.

2. Learned counsel for the petitioner has drawn my attention specifically to para 4 of the reply, wherein, it has been stated that on completion of 16 years of service on 08.10.2009, the petitioner became entitled to the benefit of grant of 16 years time bound promotional pay scale by virtue of Policy dated 23.04.1990 (Annexure P-1).

3. In view of the candid admission qua the date of entitlement to the petitioner and no plausible explanation for non-grant of the same, until it was actually granted on 03.06.2015, I am

of the opinion that the petitioner cannot be deprived of the interest on the delayed payment.

4. The respondents cannot take advantage of their own wrong, particularly when, no explanation has been furnished for the delay caused by them. In view thereof, writ petition is allowed. Respondents are directed to make the calculation by granting 9% interest per annum and pay the same w.e.f. the date of entitlement of time bound promotional scale till the actual date of disbursement.

6. Let the needful be done within a period of 3 months from the date of receipt of a certified copy of this order.

7. Petition is allowed in the aforesaid terms.

(ARUN MONGA)
JUDGE

09.04.2019

vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No