

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 9657 of 2020

Date of Decision: 24.11.2020

Nanda Wallabh

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. M.M.Pandey, Advocate
for the petitioner(s).

Mrs. Anju Arora, Additional Advocate
General, Punjab for respondents No.1 to 3.

Mr. H.S.Jalal, Advocate
for respondent No.3.

Anil Kshetarpal, J.

The petitioner, who retired as a Driver, on 31.07.2018, has been forced to file the present writ petition for release of the balance payment representing arrears of gratuity and leave encashment.

Learned counsel for the petitioner has fairly submitted that now the entire amount has been paid, however, the last installment has been paid on 22.10.2020. He submits that the petitioner is entitled to interest on delayed payment as it was withheld for a period of more than three years, without any fault of the petitioner.

Mr. H.S.Jalal, Advocate, who has appeared for respondent No.3, admits that the petitioner is not at fault.

Keeping in view the aforesaid facts, the present petition is

disposed of with the direction to respondent No.3, to pay interest @ 9% per

annum, on the balance amount paid on 22.10.2020, from the expiry of 6 months from the date petitioner retired from the service on attaining the age of superannuation. The amount of interest be paid within a period of two months from the date of receipt of a certified copy of this order.

Learned counsel for the petitioner at this stage, further submits that there was a delay in the payment of remaining amount as well. If that be so, let the petitioner file a representation before the Authority, who will consider it sympathetically and pass a speaking order thereon, within a period of three months, from the date of receipt of the representation.

(Anil Kshetarpal)
Judge

November 24, 2020

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No