

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

**CWP-14789-2020(O&M)
Date of decision:15.02.2021**

Tirath Ram

.....Petitioner

Versus

**The Punjab State Cooperative Supply and Marketing Federation
Limited**

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Amit Sharma, Advocate for the petitioner

Mr. Himmat Singh, Advocate for
Mr. Tarun Vir Singh Lehal, Advocate for the respondent

ANIL KSHETARPAL, J.

Through this writ petition, the petitioner prays for issuance of a writ in the nature of Mandamus directing the respondents to pay the correct benefits on his retirement on the basis of revised pay scale which was implemented with effect from 01.01.2006. The petitioner is alleged to have superannuated from service on 28.02.2009. He filed CWP-11664-2016 which was disposed of on 19.09.2019. Thereafter, the petitioner filed COCP-883-2020, which was dismissed as infructuous. Certain amount of money was released in favour of the petitioner on 28.05.2020. The petitioner as noticed above has filed this writ petition claiming that the entire amount due has not been released to him.

On 18.09.2020, the following order was passed by this
Court:-

“ Learned counsel for the petitioner contends

that the petitioner has not been paid correct benefits on his retirement on the basis of revised pay scale which was implemented w.e.f 01.01.2006. He submits that the petitioner has only been paid benefits on his retirement on the basis of unrevised pay scale although the petitioner superannuated from the service on 28.02.2009 i.e, much after the revised pay scales were made applicable.

Notice of motion for 18.11.2020.”

Sh. Himmat Singh, Advocate, enters appearance on behalf of the respondent and states that the petitioner has been paid as per the revised scale. An amount of Rs.2,61,019/- (Rs.1,07,299/- towards gratuity and Rs.1,53,720/- towards leave encashment) has been released to the petitioner on 17.12.2020. He also submits that the amount of Rs.98,495/- has also been paid to the petitioner towards the arrears of pay.

Learned counsel for the petitioner submits that since there is delay in payment of the retiral dues, therefore, the petitioner is entitled to interest.

Keeping in view the aforesaid facts, the writ petition is disposed of with a direction to the respondents to pay interest at the rate of 6% per annum on an amount of Rs.2,61,019/- from the date it was due till its payment.

Disposed of.

15.02.2021

rekha

Whether speaking/reasoned

Whether Reportable

Yes /No

Yes / No

(ANIL KSHETARPAL)
JUDGE