

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

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CWP No.24686 of 2021
DATE OF DECISION : 6th DECEMBER, 2021

Chander Pal

.... **Petitioner**

Versus

State of Haryana & others

.... **Respondents**

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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Present : Mr. Sandeep Thakan, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The petitioner has filed this petition under Articles 226/227 of the Constitution of India, praying for issuance of writ in the nature of mandamus directing the respondents to release the interest at the rate of 18% per annum on account of delayed payment of retrial benefits w.e.f. 31.01.2006.

A bare perusal of the record shows that the petitioner retired from the service in the year 2006. The retrial benefits of the petitioner were withheld, therefore, he had filed CWP No.19602 of 2006. This Court had directed the respondents to consider the claim of the petitioner vide order dated 11.02.2006. Thereafter, the respondents paid the retrial benefits in the year 2011. Thereafter, the petitioner had preferred another Civil Writ Petition No.21110 of 2012 claiming interest for the delayed

payment of the retrial dues. That writ petition was disposed of vide order dated 18.12.2012, by granting liberty to the petitioner to file a representation and with a further direction to the respondents to decide the same within a period of two months from the date of submission of the said representation. It is not even disputed that the petitioner did not file any representation pursuant to that order. Now the present writ petition has been filed by the petitioner claiming the same benefit which he had claimed in the year 2012 vide above said writ petition.

In view of the above sequence of the events, this court finds that the claim raised by the petitioner is inordinately delayed. Hence, the writ petition suffers from delay and latches. Therefore, this court is not inclined to interfere.

Dismissed.

6th DECEMBER, 2021
'raj'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No