

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

116

CR-1615-2019

Date of decision: 03.08.2022

NAND KISHORE

..Petitioner

Versus

THE PUNJAB STATE WAREHOUSING CORPORATION & ANR.

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. P.P.S Tung, Advocate
for the petitioner.

Mr. Anil Kumar Sharma, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

The petitioner is a former employee of the respondent-Corporation. His suit for grant of decree of declaration was allowed on 06.11.2009, while granting the following relief:-

“In view of my findings under the aforesaid issues, suit of the plaintiff succeeds and the same is decreed and the defendants are directed to consider the case of the plaintiff for the purpose of pensionary benefits by including the service rendered by the plaintiff as Daily wage helper and finalise the same within three months. There is no order as to costs. Decree sheet be prepared. File be consigned to the record room.”

The dispute is with regard to the liability to pay the interest on the amount already paid. The learned counsel representing the petitioner contends that the suit is decreed in entirety and since the interest was also claimed, hence, the same shall be deemed to have been decreed. While passing the judgment, the Court has not granted any interest on the amount of the pensionary benefits.

The Executing Court is required to execute a decree as it exists.

Hence, no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

August 03rd, 2022

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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No