

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-10438-2020

Date of Decision :09.03.2022

Raj Kumar Yadav

..Petitioner

Versus

State of Haryana and others

...Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jagdeep Singh Rana, Advocate for
Mr. Vinod Bhardwaj, Advocate for the petitioner.

Mr. Narender Singh Behgal, AAG, Haryana.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed seeking direction from this Court to the respondent-department to release the pensionary benefits of the petitioner alongwith interest on the delayed release.

Learned counsel for the petitioner argues that though, the petitioner has retired on attaining the age of superannuation on 31.05.2015 but, his pensionary benefits were not released to him by the respondent-department for certain reasons. Learned counsel for the petitioner submits that during the pendency of the present writ petition, the pensionary benefits for which the petitioner was found entitled, have been released to him but, the interest accrued on the revised pay, which has been released to the petitioner in the year 2020 has not been paid to him. Learned counsel for the petitioner further submits that even on the amount of General Insurance Scheme as well as arrears of salary, which have been released to the petitioner, interest has not been paid to him.

Learned counsel for respondents submits that once the payments for which the petitioner was found entitled for has been released to him the interest, if any, can be claimed by the petitioner in case, the delay in payment of the said amount is attributable to the respondent-department that the said amount was retained by the respondent-department without any valid justification hence, in case, petitioner has any grievance with regard to the non-payment of interest on the amount, which has been released to him, the petitioner can file a representation claiming interest, describing therein, as to how, the delay is attributable to the respondent-department so as to grant him the benefit of interest. Learned counsel for the respondent further submits that in case, any representation is filed by the petitioner claiming interest on the amount which according to the petitioner has been released to him after delay, the same will be decided by them within a period of 08 weeks by passing an appropriate speaking order from the date of receipt of the said representation.

Learned counsel for the petitioner submits that keeping in view the statement made by the learned State counsel, he does not press the present writ petition any further and the same may be disposed of as such with liberty to the petitioner to approach the respondent-department by way of filing a representation claiming interest on certain payments, which according to the petitioner have been released to him after delay.

Ordered accordingly.

March 09, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No