

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

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**CWP-25153-2021
Date of decision : 30.05.2022**

BIKKAR SINGH

..... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Surinder Garg, Advocate
for the petitioner.

Ms. Ambika Bedi, AAG, Punjab.

Mr. Narinder Pal Sharma, Advocate
for respondent No.4.

HARSIMRAN SINGH SETHI, J. (Oral)

In the present petition, the grievance of the petitioner is that the respondents are not releasing the retiral benefits of the petitioner citing financial difficulties.

Learned counsel for the petitioner argues that the petitioner, who retired on 31.05.2020, is still waiting for the release of his pensionary benefits despite the fact that two years have been passed. The prayer of the petitioner is that respondents be directed to release the complete pensionary benefits of the petitioner forthwith along with interest on the delayed payment.

A short reply has been filed by respondent No.4, wherein it has been mentioned that a sum of Rs.4.5 lacs has already been released to the petitioner on various dates and another sum of Rs. 1 lac has been released on

27.05.2022.

Learned counsel for the respondents submits that he has instructions to submit the total payment for which the petitioner is entitled for and the same will be released by 31.07.2022.

Learned counsel for the petitioner submits that the petitioner is also entitled for interest on the delayed payment keeping in view the principle of law settled by full Bench of this Court in **A. S. Randhawa Vs. State of Punjab in CWP No.2883 of 1997 dated 16.05.1997.**

Learned counsel for the respondents submits that as the financial position of the Municipal Council is not sound, the institution be saved from the grant of interest, though in the reply, the Municipal Council has agreed for the grant of interest.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, the respondents have agreed to release the complete payment of the petitioner by 31.07.2022, no further order is required to be passed on the said issue as the respondents will be under obligation to release all the payments due to the petitioner by the said date keeping in view the undertaking given before this Court.

As far as the interest on the delayed payment, the same is covered by the judgement passed in **A. S. Randhawa (Supra)** and **CWP No.15867 of 2001 decided on 20.11.2013 titled as J. S. Cheema Vs. State of Haryana.** Concededly there is delay in the release of the benefits, which is attributed to the respondents only and petitioner needs to be compensated by the grant of interest.

Keeping in view the above, the petitioner is held entitled for the

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grant of interest @ 6% per annum from the date the retiral benefits became due till the actual release of the same. Let their interest be also given to the petitioner by 31.07.2022.

Disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

30.05.2022
rimpal

Whether speaking/reasoned	Yes
Whether Reportable :	No