

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

400

CWP-5227-1996

Date of decision: 17.01.2023

GURMIT SINGH DHANOA AND ORS

..Petitioners

Versus

THE SECRETARY TO GOVERNMENT, PUNJAB
AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.K. Arora, Advocate
for the petitioners.

Mr. R.K. Kapoor, Addl. A.G. Punjab.

ANIL KSHETARPAL, J(Oral)

The petitioners were the employees of the Punjab Government. They have retired on attaining the age of superannuation. They were paid house rent allowance (HRA) in the year 1992. Subsequently, on the communication of the head office, the petitioners refunded the alleged excess payment. Thereafter, the State of Punjab issued notice to the petitioners to pay the interest at the rate of 12% on the aforesaid amount.

In view of the judgment passed in **State of Punjab and others Vs. Rafiq Masih (White Washer), (2014) 8 SCC 883**, the demand for payment of interest is not justified particularly when the petitioners have already refunded the amount.

With these observations, the present petition is disposed of.

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

January 17th, 2023

**(ANIL KSHETARPAL)
JUDGE**

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No