

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

CWP-10004-2023

Date of decision : 19.09.2023

Sohan Singh

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Varun Dhawan, Advocate for the petitioner.
Mr. T.P.S.Walia, AAG, Punjab.
Mr. Sarbuland Mann, Advocate for respondent No.3.

DEEPAK MANCHANDA, J.

Petitioner has filed this writ petition under Article 226/227 Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to pay interest @ 12 % per annum for the period of delay in releasing the retiral benefits and further a writ in the nature of certiorari for quashing of order dated 17.09.2019 (Annexure P-3), whereby claim of the petitioner for payment of interest for the period of delay in releasing retiral benefits has been dismissed.

Power of attorney filed on behalf of respondent No.3 (Nagar Panchayat Badhni Kalan) is taken on record.

On the last date of hearing i.e. 03.07.2023, the following order was passed:-

“Present petition has been filed under Articles 226//227 of the Constitution of India seeking issuance of directions to respondents to pay interest @ 12% per annum for the period of

delay in releasing the retiral benefits of the petitioner and further praying for issuance of a writ in the nature of certiorari quashing the speaking order dated 17.09.2019 (Annexure P-3) passed by respondent No. 3, vide which the claim of the petitioner for payment of interest for the period of delay in releasing the retiral benefits has been dismissed. Learned counsel for the petitioner submits that the petitioner had retired on 31.08.2018 from the post of Inspector from Nagar Panchayat, Badni Kalan, Tehsil Nehal Singh Wala, District Moga and his retiral benefits were released on 17.09.2023. Learned counsel further contends that there was a delay in releasing the retiral benefits and though the retiral amount has been received but the claim of the petitioner for payment of interest for the delayed period has been rejected by respondent No. 3 vide speaking order dated 17.09.2019 (Annexure P-3).

Notice of motion returnable for 19.09.2023.

Dasti as well.

Mr. Anurag Bansal, AAG Punjab, who is present in the Court, accepts notice on behalf of respondent Nos. 1 and 2.”

Learned counsel appearing on behalf of respondent No.3 submits that earlier also the petitioner was conveyed about paying the interest @ 9 % per annum on the delayed payment, but the petitioner did not accept the same. He submits that they are still ready to pay the interest @ 9 % per annum and undertakes to pay interest on the delayed payment @ 9 % to the petitioner within a period of four weeks.

At this stage, learned counsel for petitioner submits that petitioner

has not received any such communication from the respondent No.3, however,

if they are ready to pay the interest @ 9 % per annum, payment be released in a time bound manner and the present writ petition be disposed of accordingly.

In view of the above, respondent No.3 is directed to make the payment of interest within four weeks from the date of receipt of certified copy of this order.

The writ petition is disposed of accordingly.

(DEEPAK MANCHANDA)
JUDGE

19.09.2023
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No