

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

211

CWP-2419-2016

Date of Decision : 23.11.2023

Diljit Singh Bedi

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.Rajesh Punj, Advocate
Mr.Rohit, Advocate
Ms. Navdeep Kaur, Advocate for
Mr. Ravinder Jain, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking direction to the respondents to fix his pay and salary as per rules and notifications issued by State of Punjab.

2. Initially, the grievance of the petitioner was that respondent No.4 who was junior to him was getting more pension because of wrong calculation of his pay.

3. The respondent re-calculated pay/pension of the petitioner as well as respondent No.4 and vide order dated 04.09.2019 with retrospective effect reduced pay/pension of respondent No.4 which made pay/pension of the petitioner at par with respondent No.4.

4. Faced with this, learned counsel for the petitioner submits that

there is another prayer for interest on delayed payment of pension. The

petitioner was entitled to his dues in 2003 whereas respondent released his dues in 2015. The respondents got funds released from Treasury on 09.10.2012 whereas payment came to be made to the petitioner on 02.09.2015.

5. Learned State counsel submits that grievance of the petitioner was fixation of his pay at par with his junior and State by order dated 14.09.2019 has removed the anomaly, thus, the petition has rendered infructuous. With respect to claim of interest, learned State counsel submits that there was no lapse on the part of respondent, thus, the petitioner is not entitled to interest and there is no specific prayer in the petition.

6. From the perusal of prayer read with para 10 of the petition, it comes out that the petitioner has specifically pointed out delayed payment of pension as well as prayed for interest.

7. Considering the fact that the respondent has withdrawn a sum of Rs.3,16,043/- from the Treasury on 09.10.2012 whereas the said amount was released to the petitioner on 02.09.2015 and there is no explanation for the said delay, the respondents are directed to pay interest @ 9% per annum to the petitioner on Rs.3,16,043/- from 01.11.2012 to 01.09.2015. Needful shall be done within two months from today.

8. The petition stands disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

23.11.2023
anju

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No