

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-30424-2018 (O&M)
Date of Decision:-18.07.2023

Chanan Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. H.S.Saini, Advocate, for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. Learned counsel for the petitioner submits that he had retired on 31.03.2010 and that a part of his gratuity amount i.e. Rs.1,36,884/- was somehow withheld and was not paid when it was due, which ultimately came to be paid to him on 31.03.2019.
2. It has been submitted that the same was withheld for no fault of petitioner and that no inquiry whatsoever was pending against him and that in these circumstances the petitioner is entitled to interest on the said delayed payment.
3. On the other hand learned State counsel has submitted that it was on account of pendency of LPA in an identical matter that the gratuity amount was not

released immediately leading to delay of 9 months and that as such the respondents cannot be burdened with any interest.

- 4. This Court has considered the aforesaid submissions.
- 5. Needless to mention, even if there were any administrative delays in payment of the gratuity amount or delay on any other count which cannot be attributed to the petitioner/employee, he would be entitled to interest on any such delayed payment. The petition, as such is accepted. The respondents are directed to pay interest @ 7% on account of the delayed payment of the gratuity amount. The aforesaid arrears of interest be calculated upto date and be paid to the petitioner within 2 months from today.

18.07.2023
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(GURVINDER SINGH GILL)
JUDGE

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