

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

CWP No. 27817 of 2022 (O&M)

Date of decision : 12.12.2023

Rakesh Goel		Petitioner
	VS.	
State of Punjab and others		Respondents

Coram: Hon'ble Mr. Justice Sanjeev Prakash Sharma

Present Mr. Hardial Singh Batth, Advocate, for petitioner.

 Mr. D. K. Singhal, Additional Advocate General, Punjab.

SANJEEV PRAKASH SHARMA, J.

Prayer in the present writ petition is for directing the respondents to pay penal interest @ 24% per annum on the retiral amount of the petitioner.

2. Although the writ petition is maintainable but keeping in view the facts of the case, this Court does not find it fit to grant interest on the retiral amount.

3. This Court noticed that the delay in payment of pension amount is for a period of nine months, while counsel for the petitioner contends that the papers were submitted in time and the delay is on the part of the respondents in releasing the pension.

4. Learned counsel for the State controverts and submits that the delay has occurred on account of procedural reasons. It is stated that objections are received relating to the pension papers not being in order and some times there are queries raised by the Accountant General office, which

were required to be answered before releasing the pension. Certain delay is also on account of non-cooperation of the pensioner. Delay of 9 months in this case cannot be said to be such for which interest should be directed to be paid. More so, the delay is not deliberate or willful. Provisional pension was already released in time to the petitioner.

5. While the Full Bench of this Court in A. S. Randhawa vs State of Punjab 1997 (3) SCT 468 held that interest on delayed payment of pension is required to be imposed and to be paid. Each case has to be examined keeping in view the facts of the case. The petitioner retired on 31.01.2022. Even pension papers were sent to the Accountant General office for scrutiny on 10.03.2022. The same were approved on 14.07.2022 by the Accountant General, Punjab, and thereafter the amount was disbursed in his account on 19.09.2022. GIS amount was deposited on 08.08.2022. Leave encashment amount was released earlier on 30.03.2022 itself. Thus, the benefits have been paid to the petitioner without there being any delay.

6. In view of the above and there being no deliberate or intentional delay, no case for grant of interest is made out. The writ petition is accordingly dismissed.

7. All pending applications are also disposed of.

8. No costs.

12.12.2023
vs

[SANJEEV PRAKASH SHARMA]
JUDGE

Whether speaking / reasoned
Whether Reportable

:

Yes / No
Yes / No