

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-3949-1998
Date of decision: 12.03.2024

Narinder Mohan Parashar
.....Petitioner
Versus
State of Punjab and others
...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. A.S Nabhewala, Advocate for the petitioner.
Mr. Satnam Preet Singh, DAG, Punjab.

AMAN CHAUDHARY. J.

1. Prayer in the present writ petition filed under Articles 226/ 227 of the Constitution of India, is for directing the respondents to grant interest on G.P. Fund from the date due till actual disbursement to the petitioner.
2. Learned counsel would submit that the petitioner retired on attaining the age of superannuation on 31.12.1995. However, the G.P. Fund amounting to Rs.1,85,392/- was released belatedly on 14.09.1996. The only reason given in the written statement was procedural delay. Reliance has been placed on the judgment of the Full Bench of this Court in **A.S. Randhawa vs. State of Punjab and others**, 1997(3) SCT 468.
3. Learned State counsel opposed by referring to the written statement stating that the petitioner ought to have applied for retiral benefits six months prior to retirement. He had applied on 30.01.1996, it was sanctioned on 03.05.1996, released on 14.09.1996 and as such, there was no delay.
4. Heard.
5. As per the judgment in **A.S. Randhawa** (supra), an employee would be entitled to be compensated by granting interest by the State on

account of delayed disbursal of retiral benefits.

6. Hon’ble the Supreme Court in **Vijay L. Mehrotra vs. State of UP**, 2001 (9) SCC 687, held that in case there is no justification or reason for delayed payment of retiral benefits, interest would be liable to be paid.

7. This Court in **J.S. Cheema vs. State of Haryana**, 2014(13) RCR (Civil) 355, held that, the interest has to be given to an employee where an amount belonging to him, was retained and utilised by the respondents, has been released on a later date.

8. Considering the peculiar facts and circumstances of the case, in light of the afore-referred judicial pronouncements, the present writ petition is disposed of, with a direction to the respondents to pay the interest at the rate of 6% per annum on the amount of G.P. Fund w.e.f 30.01.1996 till 14.09.1996, the date of actual disbursement, within a period of two months from the date when a web-print of this judgment is received.

(AMAN CHAUDHARY)
JUDGE

12.03.2024
Hemant

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No