



CWP-7047-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-7047-2023 (O&M)

Date of Decision:16.05.2024

J.P. Bhardwaj and others

.....Petitioners

versus

Uttar Haryana Bijli Vitran Nigam Limited and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Ashutosh Kaushik, Advocate for the petitioner.

Mr. Jagbir Malik, Advocate for respondents.

JASGURPREET SINGH PURI J.(Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *mandamus*, for directing respondents to re-fix the pension of the petitioners and grant the petitioners arrears of difference of salary (between Assistant Engineer (Current Duty Charge and Junior Engineer-1).

2. Learned counsel for the petitioners submitted that petitioners were working in the department of respondent-Uttar Haryana Bijli Vitran Nigam Limited (hereinafter to be referred to as 'Nigam') and while they were working as JE-1, they were given the current duty charge and had discharged their duties as Assistant Engineer. He further submitted that now during the pendency of the present petition the difference of salary has been paid to all the petitioners but interest has not been paid thereupon. Learned counsel for the petitioners further asserted that the

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aforesaid difference was a part of the salary and once respondents have themselves paid the difference of salary because case of the petitioners was legitimate and in accordance with law then there was no reason to have not paid the interest.

3. Learned counsel for respondents stated that it is correct that during the pendency of the present petition, difference of salary has been paid and today written statement on behalf of respondents No.1 to 3 has been filed and the same is taken on record.

4. In view of the aforesaid facts and circumstances that respondents themselves have now paid the difference of salary to the petitioners and the aforesaid amount is a part of salary and as such there is no justification for denial of the interest as there was delay and there is no justification for the delay also.

5. In view of the above, present petition is partly allowed. Respondents are directed to pay interest to the petitioners on the aforesaid amount @6% per annum from the date of its accrual till the date of its disbursement.

(JASGURPREET SINGH PURI)
JUDGE

16.05.2024
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No