

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

CWP-21215-2016
Date of decision: 28.02.2024

Jiwa Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

213(2)

CWP-21747-2016

Roshan Lal and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. R.K. Dadwal, Advocate for the petitioners.

Mr. Satnam Preet Singh, DAG, Punjab.

AMAN CHAUDHARY. J.

1. The present Civil Writ Petitions have been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the observation made in para No.7 by the respondents in its reply dated 12.08.2016 whereby the claims of the petitioners to refund the remaining 6% interest on arrears of pension of delay payment were declined.
2. Learned counsel submits that contributory provident fund was deposited by the petitioners at the rate of 12% with the Department, but the arrears of pension have been released with interest only at the rate of 6% on the delayed payment.
3. Learned State counsel while referring to para No.5 of the written statement submits that in order to maintain equality in granting or taking interest

on the due amounts, it has been decided to get the due amounts deposited from the petitioners at the rate of interest of 6% per annum and whatever the amount they got deposited in excess of the above said rate of interest, the same shall be refunded back to them.

4. Learned counsel for the petitioners is agreeable to the aforesaid but prays that in terms of the above, the excess amount be refunded to them in a time bound manner.

5. In view of the stand taken by the respondent-Department in the Counter Affidavit of Dinesh Kumar, District Education Officer (Secondary Education), Hoshiarpur dated 31.05.2017 in CWP-21215-2016, as also by Mohan Singh Lehal, District Education Officer (Secondary Education), Hoshiarpur dated 29.01.2019 in CWP-21747-2016, and the statements made on behalf of the petitioners, the amount may be re-calculated as has been proposed therein and the due payment be released to them, within a period of two months.

6. The present petitions stand disposed of accordingly.

7. Photocopy of this order be placed on the file of the connected case.

(AMAN CHAUDHARY)
JUDGE

28.02.2024
pry

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