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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-24352-2021
Date of decision: 01.04.2024

MAHENDER SINGH AND OTHERS

...Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Anand Bhardwaj, Advocate
for the petitioners.

Mr. Kapil Bansal, DAG, Haryana.

Mr. Rajesh Gaur, Advocate
for respondents No.2 and 3.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ in the nature of *mandamus* directing the respondents to release the withheld amount of commuted value of pension and LTC to the petitioners and to grant interest thereon from the date of retirement till the date of transfer of the said amounts.
2. Learned counsel for the petitioners submitted that the short issue involved in the present case is with regard to the prayer for grant of interest on the delayed payment of commuted value of pension and LTC to the petitioners. He referred to para No.3 of the writ petition, wherein by way of a tabulated form, the date of retirement of all the three petitioners is mentioned against the

amount for which they were entitled as commuted value of pension and LTC. He further submitted that there had been a delay of more than one year in the disbursement of the aforesaid amount to the petitioners and there is no justification with regard to the same and has prayed for the interest on the aforesaid. He referred to a Full Bench judgment of this Court in **A. S. Randhawa versus State of Punjab and others, 1997 (3) SCT 468 (F.B.)** to contend that a separate writ petition can lie for the purpose of prayer for grant of interest only.

3. On the other hand, Mr. Rajesh Gaur, learned counsel for respondents No.2 and 3 submitted that there had been a delay of more than one year in the disbursement of the aforesaid amount of commuted value of pension and LTC to the petitioners, for which no justification has come even in the reply filed on behalf of respondents No.2 and 3.

4. After hearing learned counsel for the parties, this Court deems it fit and proper to allow the present writ petition and direct respondents No.2 and 3 to grant interest to all the three petitioners on delayed payment of commuted value of pension and LTC. As per the learned counsel for the parties, since there had been a delay of more than one year in the disbursement of the commuted value of pension and LTC to the petitioners regarding which no justification has come forth from respondents No.2 and 3, the petitioners shall be entitled for interest @ 6% per annum (simple) on the aforesaid amount of commuted value of pension and LTC from two months after the date of retirement till the date of actual payment to the petitioners. Respondents No.2 and 3 are directed to calculate the aforesaid interest and pay the same to the petitioners within a period of three months from today.

5. Consequently, the present writ petition is allowed in the aforesaid terms.

01.04.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No