



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

CWP-3426-2025

Date of Decision: 19.03.2025

Sat Narain and others

.....Petitioner(s)

Versus

Haryana Power Generation Corporation Ltd. and another

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Vikas Chatrath, Mr. Abhishek Singla,
Mr. Bhanu Pratap and Ms. Tanya Seghal, Advocates,
for the petitioners.

Ms. Manreet Kaur, Advocate, for Mr. Sanjeev Kaushik, Advocate,
for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking direction to respondent to pay interest @ 18% per annum on delayed payment of arrears.

2. The petitioners approached this Court by way of CWP-8043-2016 seeking direction to respondent to regularize their services from deemed date i.e. 05.09.1991 as Helper Grade-I. This Court vide order dated 21.05.2019 allowed the aforesaid writ petition alongwith connected petitions. It was further directed that the petitioners shall be entitled to all consequential benefits arising from the deemed date of regularization, however, pecuniary benefits shall be restricted to 38 months prior to filing of the writ petition. The respondent preferred intra-court appeal by way of LPA-2075-2019 before Division Bench of this Court. A

Division Bench of this Court has issued notice of motion, however, there is no
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stay in favour of respondent. On account of pendency of appeal before Division Bench, the respondent decided not to implement order passed by learned Single Judge. The petitioner preferred COCP-3057-2023. The respondent on account of filing of COCP complied with order passed by learned Single Judge.

3. Mr. Vikas Chatrath, Advocate submits that petitioners at this stage are not claiming interest for the period prior to passing order dated 21.05.2019 by this Court, however, they are entitled to interest post aforesaid date. The respondent cannot deny interest on the ground of pendency of LPA.

4. *Per contra*, Ms. Manreet Kaur, Advocate for the respondents submits that payment was not made as per orders of learned Single Judge because LPA was filed which is still pending. She concedes that there is no stay by Appellate Court and order of learned Single Judge stands complied with.

5. I have heard the arguments and perused the record.

6. The respondent has concededly complied with order dated 21.05.2019 passed by this Court. The respondent has preferred appeal before Division Bench of this Court and there is no stay in its favour. The respondent has made payment as per order dated 21.05.2019, however, without interest. There was no order *qua* interest in the order dated 21.05.2019, thus, respondent was not liable to pay interest on the arrears. However, this Court is of the opinion that respondent was liable to pay interest for the period post order dated 21.05.2019 passed by this Court. The respondent was bound to comply with order within 2 months as directed by this Court. As payment was made beyond 2 months from the date of receipt of certified copy of the order, the respondent was liable to pay interest from the expiry of 2 months period from the date of



7. Accordingly, it is hereby directed that respondent shall pay interest on the arrears @6% per annum from the expiry of 2 months from the date of receipt of order dated 21.05.2019 passed by this Court till date of actual payment. Let the needful be done within 3 months from today, which would be subject to outcome of LPA pending before Division Bench.

8. Disposed of in above terms.

19.03.2025
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(JAGMOHAN BANSAL)
JUDGE

Whether reasoned/speaking	Yes
Whether reportable	No